

SPECIAL COMMISSION ACT, 1888.

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MR. CHARLES STEWART PARNELL, M.P.,  
AND OTHERS.

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VOL. I.

Report of the Special Commission

held at Dublin, 1888, in pursuance of the

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LEWIS & LEWIS,

10 & 11, El. Place,

Edinburgh E.C.

Solicitors for Mr. CHARLES STEWART PARNELL, M.P.,  
and other Irish Members of Parliament.

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SPECIAL COMMISSION ACT, 1888.

ROYAL COURTS OF JUSTICE,  
PROBATE COURT, No. 1,  
Monday, 22nd October 1888.

PRESENT :

The RIGHT HONOURABLE SIR JAMES HANNEN, President.

The HONOURABLE Mr. JUSTICE DAY.

The HONOURABLE Mr. JUSTICE A. L. SMITH.

HENRY CUNYNGHAME, *Secretary*.

HENRY A. HANNEN, *Assistant Secretary*.

The Attorney-General, Q.C., M.P., Sir Henry James, Q.C., M.P., Mr. Murphy, Q.C., Mr. John Atkinson, Q.C., Mr. Graham, and Mr. Ronan appeared for the Defendants in the action of *O'Donnell v. Walter*.

Sir Charles Russell, Q.C., M.P., and Mr. Asquith, appeared for Mr. C. S. Parnell.

Mr. R. T. Reid, Q.C., M.P., Mr. Harrington, M.P., and Mr. Arthur Russell appeared for Joseph Richard Cox, James Christopher Flynn, William O'Brien, William J. Lane, Joseph E. Kenny, Maurice Healy, John J. Clancy, Timothy D. Sullivan, Timothy Harrington, William H. K. Redmond, Patrick J. Foley, John Stack, Edward Harrington, Denis Kilbride, James Leahy, Dr. Joseph Francis Fox, Luke Patrick Hayden, Francis A. O'Keefe, Timothy M. Healy, Joseph Nolan, Daniel Crilly, John Dillon, James F. O'Brien, Patrick O'Brien, James J. O'Kelly, P. T. O'Brien, Matthew J. Kenny, Patrick Joseph Power, Donal Sullivan, Thomas Joseph Condon, John E. Redmond, Garrett Mich. Byrne.

Mr. F. Lockwood, Q.C., M.P., Mr. Lionel Hart, and Mr. Arthur O'Connor appeared for Thomas Sexton, Jeremiah Jordan, Dr. Chas. K. D. Tanner, James Gilhooly, John Hooper, James Edward O'Doherty, Patrick O'Hea, Arthur O'Connor, Michael McCartan, Sir J. H. Grattan Esmonde, Henry Campbell, Matthew Harris, David Sheehy, Jeremiah D. Sheehan, Thomas Quinn, Michael Conway, William Abraham, John Finucane, Justin McCarthy, Thomas P. Gill, John Deasy, Richard Lalor, Andrew Commings, LL.D., Edmund Leamy, Thomas Mayne, John O'Connor, Jasper D. Pyne, James Tuite, John Barry, Thomas P. O'Connor.

*Sir C. Russell.*

My Lord, I have to make an application before the order of proceedings is discussed. It is an application in which my learned friends are not interested. It is for the release under the Act of Mr. William Redmond, Member of Parliament, who is one of the persons who are charged in certain particulars which have been delivered by my learned friend's clients, and I therefore ask your Lordships for an order for his release in order that he may attend the hearing of this inquiry as an accused party, upon such terms as to bail as your Lordships may think right.

*The President.*

When was he convicted?



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SIR CHARLES RUSSELL.

[Continued.]

*Sir C. Russell.*

My Lord, the affidavit on which I move shows that he is now confined in Wexford Prison, and that he is a necessary and material witness, to be examined on his own behalf, and on behalf of his colleagues (I am stating the short effect of it), that he is a party against whom the Defendants in the action of *O'Donnell v. Walter*, and by their particulars, have made charges. That he is now under sentence of three months' imprisonment in Wexford Gaol. It does not state when he was committed to prison, but it is about three weeks or a month ago, I think.

*The President.*

The next question I should ask would be, when did he commit the offence of which he was convicted?

*Sir C. Russell.*

Well, my Lord, I really cannot say. I believe that on the occasion of certain evictions when certain tenants who were being evicted were resisting the process of eviction—

*The President.*

It is the date only I want.

*Sir C. Russell.*

About the 14th of August, I am told. I am telling your Lordship that from the statement of my friend behind.

*The President.*

We have already had a similar application, and I granted it, or rather, I should say the Court granted it, in the case of Mr. Dillon, upon conditions which were, I think I may say, easy. I was anxious that these proceedings should be commenced in such a way that all feeling of irritation should, as much as possible, be allayed. With the concurrence of my brothers, I propose to follow exactly the same course now on this occasion with regard to Mr. Redmond, but I think it right to point out that this power which has been given to us to release convicted persons from prison must not be construed into immunity from imprisonment for all those persons against whom accusations have been brought, and, without fettering our discretion in any way, I desire to point out that any future application of this kind will be made under totally different circumstances to the present. However, I think the better mode of dealing with it, in order that our action may be prompt, is to say that we will give an order for Mr. Redmond's immediate release until further order, but that he will be required to enter into his own recognizances in 1,000*l.*, as in the case of Mr. Dillon, not to take part in any public proceedings whatsoever during the pendency of this inquiry, and when the period arrives, whatever it may be, to render himself to undergo the remainder of his sentence.

*Sir C. Russell.*

My Lord, may I point out to your Lordship that Parliament meets some time probably early in November, presumably about the 6th of November. The wide terms your Lordship has used would interfere with his attendance as Member of Parliament.

*The President.*

Of course I did not mean that.

*Sir C. Russell.*

May I point out that if your Lordship makes the order simply for his release until further order, your Lordships would immediately by that condition have the means of re-committing Mr. Redmond to goal, if your Lordships thought right, in the event of his taking any part of which the



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SIR CHARLES RUSSELL.

[Continued.]

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Court disapproved; but your Lordships, I suggest respectfully, making that condition would not make the further condition that he should not take part in any public proceedings. That condition would cover the case.

The President.

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We are of opinion that we must adhere to those terms which we imposed upon Mr. Dillon, and which, we think it is right we should remind you, Sir Charles, it is due to you to say they were volunteered by you as well as ordered by the Court.

Sir C. Russell.

In Mr. Dillon's case your Lordship is aware Mr. Dillon was not released under your Lordships' order.

The President.

I know; but I am now dealing with what this Court did. Of course, what was done by the Government is another matter; but those were the conditions we imposed, and those conditions we must adhere to in this case.

Sir C. Russell.

Would your Lordship think it right to limit it to political proceedings in Ireland.

The President.

No. You must remember the sole object—

Sir C. Russell.

According to my present instructions, then, my application is unavailing, as I am informed the gentleman will not comply with any such condition.

The President.

Very well.

The Attorney-General.

Probably, my Lord, it would be convenient if we understood for whom my learned friends appear. Perhaps I should state to your Lordship that I appeared with Sir Henry James, Mr. Murphy, Mr. Atkinson, Mr. Graham, and Mr. Ronan for the Defendants in the action of *O'Donnell v. Walter*. Perhaps it would be convenient if your Lordship would kindly allow my learned friends to state for whom they appear respectively.

Sir C. Russell.

My Lord, I appear with Mr. Asquith for Mr. Parnell.

Mr. Reid.

I appear with Mr. Harrington and Mr. Arthur Russell for a list of Members which I have written out, and which I will hand up to your Lordship.

Mr. Lockwood.

I appear with my friend Mr. Lionel Hart and Mr. Arthur O'Connor for the other gentlemen who are named in the particulars. I believe a list has been furnished to your Lordship; but it is not necessary for me to recapitulate them.

The President.

You will be kind enough to hand in the list of names.

Mr. Lockwood.

I understand it has been handed. A list, I believe, my Lord, has already been given.

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[Continued.]

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Mr. Hammond.

My Lord, I appear for Mr. P. A. Chance.

The President.

What are you ? Are you a solicitor or a barrister ?

Mr. Hammond.

I am a solicitor.

The President.

What is your name ?

Mr. Hammond.

Mr. Hammond, Solicitor, Bedford Row House.

The Attorney-General.

With the concurrence of my learned friend, Sir Charles Russell, might I be allowed to ask whether your Lordship has made any determination as to how many days a week you will sit ; I hope not every day ; that is all.

The President.

We have considered this question before. We shall be ready to hear anything that counsel have to say ; but our present proposition is this : that we should sit every day but Saturday.

The Attorney-General.

I confess, my Lord, that I think the hope that Sir Charles Russell and I entertained in the matter was that, having regard to the burden of the case, four days a week would be sufficient. Of course your Lordships must have considerable matter to digest, but of course we are entirely in your Lordships' hands in the matter.

The President.

Of course. I was saying we should be ready to listen to anything which you may say upon the subject, and if we found that there was a general concurrence of opinion upon the subject, we should be anxious to try and meet your views.

Sir C. Russell.

My Lord, so far as I can gather, there is not merely a general concurrence, but an unanimous feeling in the same direction.

The President.

We have already given you a sufficient intimation of our feelings. We think that we had better go on, at any rate for the present, during this week, on every day except Saturday.

Sir C. Russell.

And Wednesday, of course ?

The President.

We shall be willing to listen to any further application on the subject. With regard to Wednesday, I have taken upon myself to excuse our presence.

The Attorney-General.

At the Lord Chancellor's.

The President.

Yes.

Sir C. Russell.

My Lord, I have two preliminary applications to make to your Lordship.



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[Continued.]

*The Attorney-General.*

Have you given us any notice ?

*Sir C. Russell.*

Yes. My Lord, the applications which I have to make relate to certain particulars which have been delivered, and copies of which, I presume, your Lordships have had ; and also in relation to the affidavit of discovery which the defendant in *O'Donnell v. Walter* have made, and in which affidavit they claim privilege in relation to certain documents.

*The Attorney-General.*

My Lord, I think I must tell your Lordship I have had no notice, nor has my client had any notice of these applications. I think I should mention that to your Lordship. The particulars were delivered to the Court, as your Lordship knows, on Monday, and the affidavit of documents, I believe, on the same day.

*Sir C. Russell.*

If, when I have made my application, my learned friend has any reason to urge why it would be better heard and disposed of at a later stage, of course, then I should postpone it, but I think when I call your Lordship's attention to the affidavit it will appear on the face of the affidavit.

*The President.*

It would have been convenient, according to the usual practice in such matters, to have given notice, but we are ready to hear you.

*Sir C. Russell.*

I agree it would have been. My Lord, the first application I have to make is in relation to the discovery.

*The Attorney-General.*

May I ask, Sir Charles, is this based upon any affidavit ?

*Sir C. Russell.*

It is based upon this affidavit. It was handed to me this morning.

*The Attorney-General.*

This is apparently an affidavit sworn to-day.

*Sir C. Russell.*

It was sworn a few moments ago.

*The President.*

Mr. Attorney, if you think it would be more convenient we will allow this to stand over until to-morrow morning.

*The Attorney General.*

My Lord, I certainly should, so far as I can judge from simply glancing at the affidavit, think it is an application which should be made on communication to my client, and on the affidavits which are going to be used being shown.

*The President.*

Very well. It will not make any material difference if it stands over.

*Sir C. Russell.*

I do not think it will. My Lord, my friend suggests to me what is part of the same application, but I should like to mention it now, that my friend may have notice of it, because no ordinary form of notice would convey what I mean. No particulars have been given at all, nor, as I read the order of



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the Court pronounced here, were any ordered, of the other persons against whom allegations were made in *O'Donnell v. Walter*, and against whom allegations are intended to be made here. We notice in the examination of the particulars the omission of the name of a gentleman who has taken a very prominent part in politics in Ireland—I mean Mr. Michael Davitt—and the omission of that name immediately suggested that it was probably omitted by those whom my friends represent because he was not a party who was making an application before the Court on the last occasion; that probably was the reason why it was omitted. One part of the application which I shall press upon your Lordships to-morrow morning, and of which I give my learned friend notice, will be for particulars of the other persons, if any, besides those enumerated in the particulars they have delivered, against whom they intend to make charges or allegations.

*The President.*

Very well.

*The Attorney-General.*

Of course, my Lord, I postpone any observation upon that until the application is made.

*The Attorney-General's Opening Speech.*

My Lords, I have now to lay before your Lordships the outline of the case which it will be my duty to present to your Lordships on behalf of the defendants, the proprietors of "The Times," in accordance with the course of procedure which your Lordships settled at the preliminary meeting, and, if I may be allowed to say so, one sees at once that it is in all probability the most natural and proper course which the proceedings should take. My Lord, having regard to the extreme mass of matter which I have to bring before your Lordships, and the extent to which I must generalise in dealing with some of the topics, I think it convenient that I should make before your Lordship a few preliminary observations in regard to the exact position in which we stand. Your Lordships are aware that you are sitting under the Special Commission Act of 1888, and your Lordships are also aware, as you indicated to both my learned friends at the preliminary meeting—I mean both to Sir Charles and Mr. Graham—that you have nothing whatever to do with anything that passed in any other place or any arguments which have been used with reference to the passing of the Bill. The Act of Parliament gives your Lordship the Commission, and that is the Commission that your Lordships are now starting to fulfil. Your Lordships will find, on reference to the first section of the Act, that the duty which is imposed by the Statute upon your Lordships by name, is to inquire into and report upon the charges and allegations made against certain Members of Parliament and other persons in the course of the proceedings in an action entitled *O'Donnell v. Walter and another*. It will, of course, be my duty, in connexion with the particulars that have been delivered, to summarise what the nature of those charges and allegations is, and it will be my duty, as I will presently explain to your Lordships, to expand the charges and allegations more in detail, and to give to your Lordships the heads of the evidence which we shall propose to lay before you. But passing on to the other sections of the Act, I desire to remind your Lordships respectfully of the position in which all parties before your Lordships are. You will find, my Lords, by section 6 that the persons implicated in the charges and allegations, the parties to the said action, and any person authorised by the Commissioners, may appear at the inquiry, and any person so appearing may be represented by counsel or solicitor practising in Great Britain or Ireland. My Lord, the position which we (I speak for my learned friends who are with me) assume is this, that we are here to give your Lordships the fullest information in our power which may elicit the truth. We accept at once the duty which was indicated in your Lordship's previous decision, namely,



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[Continued.]

having the duty cast upon us to discharge, as well as we can, the duty of proving the charges and allegations which we made. At the same time, of course we desire, and must point out to your Lordships, that we are not the persons who have to inquire into the truth. Nothing can relieve your Lordships from the duty of inquiry and report. I am quite aware I am not saying anything, my Lord, which has not passed through your Lordship's mind, because you yourself referred to it on the last occasion; but still I wish, appearing now for the first time before your Lordships, to make my position clear. My Lord, we shall lay before your Lordship everything which we possibly can. We shall indicate to your Lordships sources from which information can be obtained, though we may not at the present time be actually in a position to bring evidence before you, by what I may call legal evidence; and if in the course of the inquiry information comes to our knowledge or the knowledge of our clients (when I say our knowledge, of course I mean the knowledge of our clients) which would enable us to give your Lordships' channels or sources from which information can be obtained, we shall feel it to be our duty to lay it unreservedly before your Lordship, and, in fact, to fulfil the duty indicated by your Lordships to my learned friend Mr. Graham, who appeared before your Lordships for "The Times" on the last occasion, namely, honestly to put before your Lordship the sources of information which are at our command. Probably it would be as well that I should refer to section 9 before passing from the Act. Your Lordship will notice that section 9 provides "Any person examined as a witness under this Act before the Commissioners, or under a Commission to examine witnesses abroad, may be cross-examined on behalf of any other person appearing before the Commissioners. A witness examined under this Act shall not be excused from answering any question put to him on the ground of any privilege, or on the ground that the answer thereto may criminate, or tend to criminate himself." The last four lines of the passage I have read are not new. Your Lordship may remember that they have occurred in previous Acts of Parliament constituting Royal Commissions. The opening four lines of section 9 are, as far as my recollection goes, new: that is to say, statutory power given to parties appearing before a Royal Commission to cross-examine witnesses who were called. It does not, in my submission to your Lordship, alter the position of the Commission in any way. It does not fetter the discretion or powers of the Commission, nor does it relieve the Commission from any burden or duty cast upon them. But having regard to the nature of the charges that were made, which led to the proceedings in which those allegations and charges were repeated, in all probability, so far as we can judge from the Act of Parliament, it was thought that persons who might be directly or indirectly implicated, should have a privilege not always, or perhaps never before accorded in cases of similar inquiries. My Lords, probably it is not necessary for me to refer to other of the sections of the Act at the present time. It may be before I close my statement to your Lordship.

But I now have to go at once to the position of matters which led to the passing of this Act. Your Lordship knows that you are to enquire into the charges made against certain Members of Parliament and other persons in the course of the proceedings in an action entitled *O'Donnell v. Walter*, and in all probability your Lordships will agree with me when I say that the general scope of the inquiry must be found among the charges and allegations that were made in those proceedings; and, further than that, that the persons who were the subject of the charges and allegations must have been, practically speaking, directly referred to in the subject matter referred to in the proceedings of *O'Donnell v. Walter*. I say that for this reason, I have nothing here to do with what I may call ordinary political agitation, or political organisation. I am not here to-day for the purpose of inquiring into the rights or wrongs of Home Rule, or the rights or wrongs of particular tenants, or any of those questions which are supposed to have been, and have, in fact, been burning questions for a long time with reference to Ireland. I am here to inquire, or to assist your Lordships to



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inquire, into certain very specific charges and allegations which were made, first, at a date which I will refer to, and, secondly, repeated in the proceedings of *O'Donnell v. Walter*. My Lord, with regard to individuals, I shall conceive it to be my duty to show that the particular individuals who have been referred to, and who are referred to, in the particulars are directly, or at any rate by clear implication, included in those who were named in the original charges and allegations made, because I conceive, having read your Lordship's view, or having read the exposition of your Lordship's view on the last occasion, you pointed out to my learned friend that it was with reference to Members of Parliament and certain others that your Lordships' inquiry was to proceed.

Now, my Lord, a very few preliminary observations upon the subject of the charges themselves. It is essential that your Lordships should understand what the charges and allegations are, and against whom those charges and allegations are directed, and I will, somewhat out of date, refer your Lordship to one or two dates to which I shall again have to come back at a later period of my statement. The charges were originally made, in one sense, in articles which are now known by the name of "Parnellism and Crime," all of which, I think, have been conveniently printed at the end of the Blue Book before your Lordship, and may be taken to commence with an article written on the 7th March 1887, and, for the purpose of dealing with that month, to embrace articles that were written on the 14th, on the 24th, and on two early days in April. I advisedly, for the present moment, postpone reference to later articles and later references that were made. The charges contained in those articles, my Lord, were not new charges. They had been made under other circumstances on previous occasions and repeated in the strongest possible way. It may possibly be an incident into which your Lordships will have to inquire; as to the circumstances under which some of those charges had been made at an earlier date; but, for the purpose of making my meaning clear to your Lordship, I wish to make this distinct observation: the charges contained in "Parnellism and Crime," speaking of the earlier articles of March and April, were, as the articles themselves showed, the repetition of charges which had been made in the years 1882 and 1883 with reference to some of the same individuals. My Lord, I am not saying—it would be absurd of me to suggest—that when those charges were made by the writers in "The Times" newspaper they were in possession of legal proof of the truth of every one of the allegations that they made. If a paper of any position was to wait until it had absolute legal proof of many facts upon which it is perfectly justified in making comments, in all probability its comments would be not only many years after the event, but might probably in many cases never be able to be made at all. Therefore, I do not deny, and it is no part of my duty to deny, that the charges that were made in the year 1887—again I repeat, a repetition of charges that had been made in the years 1882 and 1883—were made upon information communicated to those who wrote the articles, which in all probability, certainly in many instances, and probably in a great many instances, was not what might be called strictly legal evidence; as, for instance (my Lord, I shall have in detail presently to call your Lordship's attention to it markedly), such things as extracts from either contemporary or past newspapers. I refer for instance, and I shall have to refer at considerable length, to extracts from such newspapers as the "Irish World," "United Ireland," and the "Freeman's Journal." The position of those newspapers will be a subject which may form a very important part of your Lordships' inquiry. I am only at the present time calling to your Lordships' attention, that the charges which were made to a certain extent rested upon statements made which the proprietors, or I should say the writers of the articles in "The Times" believed to be true statements, for which the authority was given and reference particularly made to the source from which the original information was obtained. My Lord, those articles were published, as I have mentioned to your Lordship, beginning on the 7th March 1887, and, speaking of the articles as a group, ending in the month of April 1887. They evoked no proceedings on the



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[Continued.]

part of any persons who were directly charged or implicated in the charges and allegations. Later in the year, namely in the month of June 1887, certain other articles were written, and in those articles certain statements were made, and among those statements was one which did have direct reference to a particular individual, Mr. Parnell. That was the publication of a letter purporting to have been signed by him on the 15th May 1882. And, undoubtedly, with reference to the case of Mr. Parnell himself that letter must form, and will form, a matter upon which your Lordships will most carefully and thoroughly investigate all the facts that can be brought before you. But it is most important with reference to the inquiry upon which we are engaged, or your Lordships are engaged, at the present time, to observe that the writing of a particular letter by Mr. Parnell, most important so far as Mr. Parnell's case is concerned, will not enable your Lordships to judge of what I may call the main truth of the allegations which are directed, not against Mr. Parnell alone, but against Mr. Parnell and all his associates. It will be part of my duty, and it will be necessary for me when I come to refer to the evidence I am about to lay before your Lordship, to point to individuals by name, and I shall do so wherever I feel that in the interests of justice I ought to do so. But I want your Lordships to understand that it is in the first place essential that you should know and clearly appreciate what the charges and allegations were; when they were made; against whom they were made; and who were the persons directly or by implication clearly indicated as being accused.

Now, by Lord, those articles having been published and those statements having been made, and the incident to which I have referred, namely, the subsequent articles and a letter directly relating to Mr. Parnell having been published, no proceedings were taken; but in the course of this year an action which had been commenced came for trial. An action had been commenced by Mr. O'Donnell, who had been at one time associated to a greater or less extent with Mr. Parnell and his followers, and Mr. O'Donnell complained that he had been libelled in the allegations made by "The Times" in "Parnellism and Crime."

Your Lordships are probably acquainted with the matter, for I notice that the pleadings have been printed in the Blue Book. He picked out a certain number of allegations from "Parnellism and Crime" which without the context he alleged could be taken to refer to him. In the course of the proceedings it became necessary for "The Times" to state what I may call their whole case in answer to these charges. It was alleged by Mr. O'Donnell that he had been defamed and slandered. It was alleged by "The Times," "We have not defamed you, Mr. O'Donnell; we have not slandered you, Mr. O'Donnell, but we have made against a number of persons, many of whose names appear, others of whom are clearly pointed at by the allegations we have made, a number of serious charges." My Lord, I do not know that I can do better in the matter of what I may call a very brief summary of the character of the charges which had been made, than to read to your Lordship the language of the Lord Chief Justice at page 185 in the official book which is perhaps the most terse, perhaps the most concise, summary of what may be called the charges and allegations in "Parnellism and Crime." Of course, I admit that they have been expanded—that the description can be expanded if you look at the articles themselves, and the particulars delivered have already expanded them. I am told by my learned friend, Sir Henry James, who corrects me (as I speak from memory I am very glad to be corrected) that the actual date of the publication of the letter of 15th May 1882 was the 18th April 1887.

*Sir C. Russell.*

Yes, not June.

*The Attorney General.*

I am obliged to my learned friend for correcting me. I was not for the moment, as I had to come back to it again, considering the exact date of



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[Continued.]

publication. It was some five weeks after the first article to which I have referred. This was the summary by the Lord Chief Justice of the charges contained in the articles known as "Parnellism and Crime." I read, my Lord, from the bottom of page 185—"It would seem therefore that " 'The Times' newspaper in the discharge of what those who conduct it, I " have no doubt, thought their duty, published a series of articles which are " known to us under the familiar or short title of 'Parnellism and Crime.' " They run over in this small type something like 60 pages; they contain a " great variety of statements, and statements deeply incriminating a number " of persons—Members of Parliament, persons not Members of Parliament, " but well known to the world, and a number of prominent men, who " are accused, if I may say so, frankly and plainly, of abominable crime, not " so much perhaps that they themselves have committed with their own " hands abominable crime, but they have lent themselves to a system which " must necessarily as its reasonable effect be accompanied with crime, and " that with regard to many of the crimes by which it was accompanied " they themselves had personal knowledge. That is the statement in a broad " way, but that is in substance what is charged against a number of persons " whose names you have heard in the course of these articles against " 'Parnellism and Crime.' " That should no doubt be "called" "Parnellism and Crime." The print is unfortunately not very accurate in one or two small matters, but the meaning can be always ascertained. My Lord, I adopt, if I may say so with respect, that description of the charges. Whatever may be any failings of mine in making my statement to your Lordship with regard to the matter I am going to lay before you, those who are so well represented by my learned friends shall have no reason to find fault with me for making my allegations clear in the discharge of my duty with regard to the detail as to the part which each person played, but inasmuch as we are not here solely inquiring into the question of Mr. Parnell's guilt, although his knowledge of these matters is one of the most important things, but, inasmuch as we are inquiring into the part that Mr. Dillon played, which Mr. Matthew Harris, Mr. William O'Brien, Mr. Biggar, Mr. Timothy Harrington played, and, passing from the Members of Parliament, Egan, Brennan, Boyton, Gordon, and a number of others, whose names are indicated and mentioned and whose names are given distinctly in "Parnellism and Crime," it is clear to your Lordship that it is utterly impossible for me properly to discharge my duty, or for the proprietors of "The Times" to discharge their duty to this Commission by limiting the inquiry to the implication of any one individual, or the allegations against any one particular individual.

Now, my Lord, when the preliminary inquiry took place, your Lordships felt that it was a reasonable application that we should specify in sufficient detail to enable my learned friends to understand the charges which were going to be brought, what the charges and allegations were. Your Lordship indicated that, speaking for yourself, you had not read the pamphlets "Parnellism and Crime," or the articles which were referred to. I shall not assume at the present time that your Lordships have yet read the whole of the articles, but I shall think it right, in order to make my statement clear, to refer to pages of the articles at which the particular allegations and charges will be found, because I agree that if my learned friend Sir Charles Russell, or Mr. Lockwood, or Mr. Reid were in a position to say, "You are starting against us accusations that are not contained in " 'Parnellism and Crime,' charges and allegations that were not raised in " the proceedings of *O'Donnell v. Walter*," I doubt whether your Lordship would have jurisdiction. I hear the observation, "It is clear that you would " not." Therefore, it seems to me that in order that you may understand, in order that the proprietors of "The Times" may satisfy your Lordships that they are laying before you the evidence in support of the charges and allegations they did make, it is essential that your Lordships should understand clearly and distinctly what those charges and allegations were.

Now, my Lord, I shall have to refer in the course of my statement to what has been called at times a conspiracy, and what has been called at times an organization. I do so in no shape or way for the purpose of referring



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to the organization or the conspiracy as a body apart from individuals. As I shall show your Lordship when I come later on to deal with the particular acts to which I am going to refer, my sole reason for referring to other than the names of the individuals is because they did not all take part always in the acts which I am going to prove. Sometimes they were done by one, sometimes they were done by another; but, rightly or wrongly, truly or falsely, we shall allege that all the acts that were done were done in furtherance of a concerted and preconceived conspiracy with definite objects, with definite aims, and that the only way in which that conspiracy could be carried out, the only way in which the conspiracy or organization could do the work which those who are mixed up in it intended it should do, was by the commission of crimes. I shall show your Lordship possibly in the course of the proof of this case that the fact that the conspiracy or organisation could only work, could only be made effective, could only be operative, by means of crimes, was pointed out as far back as 1881, 1882, and 1883. But, what is much more important, I shall, in the discharge of my duty to my clients, endeavour to demonstrate to your Lordship by proof that it is only by the commission of crimes that the working of the conspiracy could be made effective. In other words, the somewhat stock phrase of "Parnellism and Crime" is a correct paraphrase, almost a history, in three words, of what the organisation was. "Parnellism," no doubt because it took its name from a man who had played a very prominent part in public affairs, a man who was the ostensible head, the recognised leader of a part of the organisation, not by any means himself doing the whole of the work (it would have been impossible), supported by men of great vigour, energy, and undoubted ability, but not unaptly called "Parnellism," because it did represent a following; and "Crime," because whatever may have been its objects, whatever may be suggested as to means whereby bonâ fide political agitation could be carried on, without crime this conspiracy, this organisation, never could have succeeded.

Now, my Lord, let us first take the particulars. I make no apology to your Lordships for occupying time in this matter. I am satisfied your Lordship would prefer that, in justice to those against whom, for the time being, I am opposed in this case, I should make my meaning clear, rather than that I should attempt to cut matters short, and trust to their picking it out when I come to deal with the evidence. I hope, as I have said, though I cannot pretend to exhaust the matter, that they will have no cause to complain of any want of clear or plain speaking on my part as the advocate or representative of the proprietors of "The Times." Now, I will ask your Lordship kindly to take the particulars that we have delivered, and to allow me to go through those particulars, and then to refer to two or three passages in "Parnellism and Crime," in which the charges and allegations will be found described. The third paragraph of the Particulars is in these terms: "The Members of Parliament mentioned in the schedule were members of the conspiracy and organisation herein-after described, and took part in the work and operations thereof with knowledge of its character, objects, and mode of action." Then, my Lord, the names in the next paragraph are given by which the conspiracy or organisation were from time to time known. We state them as being the "Irish Land League, the Irish National Land League, and the Labour and Industrial Union, the Ladies' Land League, the Ladies' Irish Land League and Labour and Industrial Union, the National League, and the affiliated societies in Great Britain and America, all forming one connected and continuous organisation." I only here repeat that the word organisation is not put in by those who framed these particulars for the purpose in any shape or form of avoiding the responsibility cast upon us of dealing with charges and allegations against individuals, but because the conspiracy to which "Parnellism and Crime" referred—the conspiracy to which I am about to refer—cannot be compendiously mentioned or referred to excepting by some one word that will indicate that we are dealing with a number of men acting in concert,



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and when, as I, later on, shall have to explain to your Lordship, I have pointed out I am dealing with something which had branches in, practically speaking, hundreds of districts in Ireland, your Lordship will see how essential it is to have some one expression to indicate that to which we are referring. "The ultimate object of the organisation was " to establish the absolute independence of Ireland as a separate nation." Your Lordship will not at present understand the importance of that allegation. I only desire to say I will demonstrate to your Lordship that it is not put in for the purpose of endeavouring to import any political controversy. It is for the purpose of showing what was the real working of this combined conspiracy, how all the strands of interest were bound together in one cord, and how men who otherwise could not have worked together did work in one combined organisation or conspiracy. " With a view to effect this, one of " the immediate objects of the said conspiracy or organisation was to " promote an agrarian agitation against the payment of agricultural rents, " thereby securing the co-operation of the tenant farmers of Ireland, and at " the same time the impoverishment and ultimate expulsion from the country " of the Irish landlords, who were styled ' the English garrison.' " I repeat, my Lord, and I will make it clear in the course of my opening observation, that the way in which this conspiracy worked and was intended to work was by, if necessary, crimes being committed which would injure both landlord and tenant, which in 99 cases of 100 injured the tenant and did not injure the landlord, in order to drive the " English garrison," the Irish landlords, from any possession in the soil of Ireland. But, my Lord, I am careless, I am utterly indifferent as to the question of what their particular object was, except in the light that it throws and the bearing it has upon the means which were adopted by this organisation for the attainment of their objects. " The mode of action was to organise a system of coercion and intimidation " in Ireland, which was sustained and enforced by boycotting and the com- " mission of crimes and outrages. The organisation was actively engaged in " the following matters:—(1.) The promotion of and inciting to the com- " mission of crimes, outrages, boycotting, and intimidation." Your Lordships need not think and must not think that I have the slightest intention here, or that my friends who are with me have the slightest intention here, of referring to minor matters, of preventing people from dealing in a particular place or intimidating people in a minor degree. Except in so far as it will be necessary to show how less grew to greater, it will not be necessary to refer to that. We shall, so far as it is material for our purpose to prove anything, prove that in order to make what was called "boycotting" effective, in order to make what is called intimidation effective, crimes of the worst character had to be resorted to; in fact, a very little consideration, when I come to that part of the case, will show that, if the persons who were carrying out this conspiracy stopped short of the crime of personal injury, personal violence, and at times murder, there was an end of the success of their organisation altogether; in other words, it was only by imposing upon those who were the subjects of this tyranny such fear, such dread, that made them absolute slaves to the organisation that was tyrannising over them, that it could possibly be made effective; and what I shall do when I come to expand that head (1) is this: to show that many of these men, who are named in these particulars, have personally taken part in acts which did undoubtedly lead to crimes of the worst description, and that many of them must have known—I shall ask your Lordship to come to the conclusion did know—that the sole consequences of the conduct in which they were taking part would be the commission of these crimes. My Lord, I shall show your Lordships that after it was clear that the result of the conduct to which I have referred was to lead to the commission of crimes, they repeated over and over again the same conduct, and down to a very recent date; and, my Lord, perhaps what is after all quite as important an observation, I shall show your Lordship that, being men of undoubted influence, being men respected, revered, it may be loved by some of the



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inhabitants of Ireland, they, with scarcely an exception, never denounced these outrages or took any steps to put an end to this which was, if I am correctly instructed, one of the most cruel tyrannies that ever existed in any country in the history of the world.

Now, my Lord, the second head to which I refer, and which will also form the subject of inquiry before your Lordship, is this: "the collection and providing of funds to be used, or which it was known were used for the promotion of and the payment of persons engaged in the commission of crimes, outrages, boycotting, and intimidation." My Lord, later on in the course of my opening statement to your Lordship, I will explain to your Lordship what at the present time we are in a position to lay before your Lordships with regard to this matter. I shall have to mention the fact that, owing to orders made by your Lordship not having been obeyed, namely, the discovery of bank books, we shall not be in a position at present to lay the matters before your Lordship in the same detail we had hoped to be able to do. But I postpone referring to that in detail till I come to what I may call the chronological statement I have to make. Then we say, that these persons engaged in and were actively engaged in "the payment of persons who assisted in, were affected by, or accidentally or otherwise injured in the commission of such crimes, outrages, and acts of boycotting and intimidation." I shall, when I deal with that particular part of the case, lay before your Lordship evidence which will require, and will no doubt, be most carefully examined and tested by your Lordships, and by the cross-examination of my learned friends. But, with regard to part of the evidence that I have to lay before you, which will not depend on or cannot be shaken by cross-examination, I think your Lordships will have no doubt that many of those whose names are included in these particulars knew, and must have known, that sums of money were being paid, not in an exceptional instance, but over a long period of time, to persons who were engaged in carrying out the acts of violence and crimes to which I have referred. Here, again, I do not intend to refer to payments made to persons for minor matters, except in so far, as I have already said, as those minor matters, as a matter of history, grew to be larger, and grew to the commission of more important and serious offences. "Holding meetings and procuring to be made speeches, inciting to the commission of crimes, outrages, boycotting, and intimidation. Some of the meetings referred to, which were attended by Members of Parliament, with the approximate dates and place of meeting, are given in the Schedule hereto."

I need not refer to that again, because I have to mention it when I speak of the way in which the matter has been carried out, and of the direct result, as the writer of the article alleges, and as the proprietor of "The Times" now alleges, through me, of the meeting, of the speeches, and of the conduct which was intended to be followed as a consequence, and I might say the only consequence, of both those meetings and those speeches.

Then, my Lords, I have to call attention to the fifth paragraph: "The publication and dissemination of newspaper and other literature inciting to and approving of sedition and the commission of crimes, outrages, boycotting, and intimidation, particularly "The Irish World," "The Chicago Citizen," "The Boston Pilot," "The Freeman's Journal," "United Ireland," "The Irishman," "The Nation," "The Weekly News," "Cork Daily Herald," "The Kerry Sentinel," "The Evening Telegraph," "The Sligo Champion." I desire to say here, my Lords, that I shall have to address your Lordships at some considerable length on the connexion between these gentlemen, who are named, and the organisation in America. I shall have to show your Lordships, or at any rate, to indicate to your Lordships, the heads of the evidence, from which it will appear that there was being collected in America a very large amount of money by means of literature of the worst kind, literature which incited to, and invited people to participate in, acts of the most infamous character. Such, for instance, as dynamite, the use of the dagger, and the worst of crimes, and it will be part of the case which I shall



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have to lay before your Lordships that many of the gentlemen to whom I have referred knew of the publication of this literature, knew of the way in which the money was collected, and with that knowledge continued to consort with, aye, and to thank the people who had collected the money by these means, received the money, and for all I know, and, I speak for my clients, have a considerable portion of it still.

Be that as it may, that part of the case, which is in one respect an entirely separate head, is one of the main and principal allegations, as I shall show your Lordships in a few moments, made by the author of "Parnellism and Crime," namely, that many of those whose names are named, were in active communication with some of the most violent agitators in America, and with a knowledge of the doctrines which had been preached by those agitators, availed themselves of their services, received money from those who had collected it, and had consorted with them, and had been friendly with them after there had been a publication of their views extending over a very long period of time.

Of course, my Lords, I do not say at the present time that I am in a position to give you the whole of the detail of the working of the conspiracy in America. Your Lordships have powers, it may be necessary to exercise those powers, for the ascertainment of the truth of the matter, but there are certain incidents I shall be able to put before your Lordships, and I think it will turn out that the evidence respecting those incidents will lead your Lordships to take such steps as you think necessary for the elucidation of the truth, to see whether the view I have summarised to your Lordships is a correct view or not.

Then we allege that the members who were taking part in this conspiracy in America advocated resistance to the law and the constituted authorities, and impeded the detection and punishment of crime, and in connexion with that part of the case, it will be my duty to bring before your Lordships evidence with regard to the part that was taken by some of those who are named, or by their agents with their knowledge, with regard to the persons who had been charged with some of the worst offences which were committed in Ireland during the years 1881, 1882, and even later.

I mention that for the purpose of indicating to your Lordships that I am dealing with something that your Lordships may be in a position to think need not have come to the knowledge of some of those who are referred to, but some of the things, if I am correctly instructed, which were done, must have come to their knowledge; nay, more, must have been to some extent carried out with their authority and under their direction.

The 7th head is "Making payments to or for persons who were guilty, or supposed to be guilty, of the commission of crimes, outrages, and acts of boycotting and intimidation for their defence or to enable them to escape from justice, and for the maintenance of such persons and their families." I think your Lordships will find, when the evidence is given with regard to these matters, that there will be very little doubt in your Lordships minds that sums of money, of which many of those gentlemen to whom I have referred had to a greater or less extent control, went for the purposes which are indicated in that paragraph.

Then, my Lords, I come to the statement referring to the individuals as apart from the organisation. "It is charged and alleged that the Members of Parliament mentioned in the schedule, approved, and by their acts and conduct, lead people to believe that they approved of resistance to the law and the commission of crimes, outrages, and acts of boycotting and intimidation, when committed in furtherance of the objects and resolutions of the said societies, and that persons who engaged in the commission of such crimes, outrages, and acts, would receive the support and protection of the said societies, and of their organisation and influence."

My Lords, I do not know that it is necessary for me to read, and I have the greatest objection to reading anything if it is not necessary, paragraph 9 to 13. I will do so if my friends wish, but they are really little more than an elaboration in detail, of the particular acts to which reference has been



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made, and my reason for not referring to them, if your Lordships will kindly glance your eye down them is, that I have in general language more or less indicated those acts when I was describing the way in which the conspiracy or organisation was formed; but I will call specific attention to the allegations in paragraph 13. "They and the said societies, with such knowledge as aforesaid, received large sums of money which were collected in America and elsewhere by criminals and persons who were known to advocate sedition, assassination, the use of dynamite, and the commission of crimes and outrages." Then your Lordships will find in paragraph 14 the allegations respecting three letters published, and said to be signed by Mr. Parnell. Of course your Lordships are aware that my learned friend Sir Charles Russell, when he appeared on the last occasion, indicated to your Lordships that he should say that those letters were forgeries. I shall in the course of my opening statement, when I arrive at the incident to which those letters refer, make to your Lordships a statement, which to a great extent will enable your Lordships to judge by anticipation how far my learned friend will be able to support that statement. Perhaps, before the end of this case your Lordships will have the fullest opportunity of coming to a decision, whether the allegations as to whether those letters are forgeries is true, but all I do say at present, in dealing with this particular allegation, which is one, of course, which directly affects Mr. Parnell and, probably, one other individual only, is that there will be many documents which will have to be referred to in connexion with the incident there described. I refer to it, because it is one of the charges and allegations by "The Times" made by the "The Times" in connection with Mr. Parnell, as distinct from other members who are mixed up in the conspiracy, and on that allegation I shall lay before your Lordships evidence which "The Times" will submit to your Lordships' judgments, upon which you will be able to come to the conclusion as to what is proved in the matter. Now, your Lordships will find a list of other persons who are alleged to have been associates of those mentioned in the particulars. Of course not all of them, but it will be found that most of the names mentioned were associated with them. I shall in a few moments I hope have to get to that part of the story which will render it necessary for me to refer to those names; therefore, I do not propose to stop now to go through them. When I deal with the matter categorically and chronologically, I shall have to state to your Lordships the part that any particular individual mentioned in that list took in these matters. They are put in the particulars in order to give to my learned friend the information with regard to those whom "The Times" alleged and stated in "Parnellism and Crime" were directly connected with the crimes and outrages to which reference was therein made.

It is not necessary for me to say more. The next paragraph, as your Lordships know, is the list of the names against whom charges and allegations were made, and the list of the meetings at which the members of Parliament, as distinguished from other persons, were present. I rather gathered from your Lordships a moment ago that it was better I should not assume that your Lordships had intimate knowledge of the publication of "Parnellism and Crime," and, therefore, I think it better that I should briefly refer to certain passages which were alleged to be true, and your Lordships will find that the charges which are summarised are made in plain and unmistakeable language by the original author. With reference to what I may call the conspiracy and organisation, I should ask your Lordships kindly to turn to page 64. I am sorry that I shall be obliged to refer to a speech which I myself made. What I mean is, that the speech made by Sir Charles Russell and Sir Henry James would be very much better reading than the speech made as it was by me, but I would call your Lordships' attention to page 64, just before the break at the bottom of the page, "I do not for one moment deny that most grave and serious charges have been made against the parties known as the Parnellite Party, but I absolutely deny that the Plaintiff is justified in saying that nine-tenths of these charges refer to him. They refer, as I will show you presently, to the Land League in



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"Ireland, which was guilty of the wicked and iniquitous acts to which I have to call your distinct attention presently." I wish to say in passing that I believe it will turn out, I speak subject of course to the proof afterwards, but according to my instructions, that practically speaking all the members whose names are mentioned were members of the Land League. On page 65 also, just above the break of the paragraph, "Whatever may be the difficulty on the part of the Defendant's counsel when they are laying this case before you, this I will undertake to demonstrate to you, namely, that the libels, the slanders published in 'The Times,' prior to Mr. O'Donnell having written himself, by which I mean prior to the 17th June, referred to the Land League in Ireland, and to the illegal organisations known by that name and not to the Irish Constitutional Party, with which alone Mr. Lucy"—Mr. Lucy had been a witness for Mr. O'Donnell at the trial, and that is why his name was referred to in that paragraph; he was a reporter to the "Daily News." He said, as your Lordships will find by the proceedings, that he knew Mr. O'Donnell as a member of the Irish Constitutional Party.

If your Lordships will kindly refer to the top of page 122. "As we go through these, I will ask you to watch most carefully and say is there any libel that can be said to be connected with Mr. O'Donnell? because, as far as I have gone, the libel, be it true or be it false, is against the Land League, and nobody else." At page 164, the small paragraph in the middle of the page. "I am prepared, and if necessary I shall, of course, if my Lord says it is to be gone into, call witness after witness to prove the facts with regard to the doings of the real Land League, but until the connexion of Mr. O'Donnell with the Land League is shown, I submit to my Lord's judgment, that I should scarcely be justified even in tendering that evidence." Now, I will ask your Lordships to let me refer to the paragraphs which have alleged distinctly that the organisations to which I have referred were one combined conspiracy, and I think your Lordships will find the first of these, of which there are several, at the bottom of page 79. "Now, gentlemen, I wish to call your attention to one other very remarkable case, and that is the case of Woodford. I refer to it because 'The Times' has said, and I shall if necessary maintain, that there has been the same continuity of action between the Land League and the National League." At the top of page 107, "I shall be able to show you, though it is not so very material, that quotations in 'The Times' articles from the speeches of Byrne, in America," that is a man named Frank Byrne, of whom I shall have to say a good deal presently, "were correctly reported in the official journals as being speeches which he delivered, in which he advocated the use of dynamite, the knife, and political agitation. I remind you that at the end of July 1883 Carey, the informer, was shot by O'Donnell. I shall prove before you that subscriptions were received all through the year 1883 and onwards from the American organisation. I shall prove before you that in February 1884 was published a statement of the amounts that had been collected under these funds, and published as being a statement of account showing, if any part of it was true, the connexion between the Irish organisation and the American organisation." At page 114, in the paragraph that commences on that page, "You will notice, gentlemen, that this is a statement of what Mr. Gladstone, the veteran, had said of the uncrowned king." That is not my language. I see it is a quotation from the bottom of the previous page. "The most ardent English adherent, the veteran who defers his *nunc dimittis* only to see the uncrowned king come by statute into his kingdom." "You will notice, gentlemen, that this is a statement of what Mr. Gladstone, the veteran, had said of the uncrowned king. That is Mr. Parnell's language. He has assumed a connexion between Mr. Parnell's words and murder; he has held him up to reprobation as the grand foe of civil society, the apostle of public plunder; he has rebuked him for treating murderous outrage as a joke; declared his object to be the disintegration and the dismemberment of the Empire, and imprisoned him for subverting the authority of the law, and setting up a



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“system of anarchial oppression in its stead. The pilot of the Crimes Act, the fiercest and the loudest assailant of the League, is a yet more recent convert, equally fervent and equally sincere. Not long since Sir William Harcourt exposed the League’s intimate connexion with Communism in Paris and Fenianism in America, and demonstrated its authentic doctrine to be the doctrine of treason and assassination.” My learned friend will pardon me; I am only now referring to this matter for the purpose of indicating that “The Times” writer did throughout in “Parnellism and Crime” point out that the organisations of which Mr. Parnell and his followers were members, were intimately connected with the societies in America who advocated such a course of conduct as those to which I have referred.

At the top of page 129, “We have laid bare some of the ligaments that knit the so-called ‘constitutional movement’ in the United Kingdom to its fellow conspiracy in the United States. In a third article we shall show that that conspiracy has always been controlled, and is now controlled, by notorious dynamiters and assassins, that its relations to Mr. Parnell’s agitation have been continuous, and that at this moment they are as intimate and as vital to the prosperity of the ‘cause’ as when the Parliamentary leader in person sought and gained the patronage of Patrick Ford and the good graces of the American Fenians.” I do not wish to read what I can avoid. The whole of page 131, I think, contains charges of exactly the same character. Your Lordships will find at the bottom of the page, after a reference to various incidents, occurs this passage:—“He subscribed to that fund”—that is the Parliamentary fund—“out of his own private purse”—that is Ford—“he published the reports and manifestoes of its officers; he cheerfully forwarded many heavy contributions to the Reverend Treasurer; he ‘enlisted’ and ‘called out’ American sympathy; he started the Home Rule mass meetings; and elicited and published in his murderous print some 200 Home Rule letters from American politicians, with an eye to the Irish vote. Even at the height of the money squabble the close relations between the ‘constitutional’ Leaguers and the Fenian skirmishers established by Davitt, and ratified by Mr. Parnell on his American tour, were carefully maintained.”

*The President.*

Whose language is this? I see it is put in inverted commas.

*The Attorney-General.*

I think that is from the “Irish World,” because your Lordships will find the reference to the quotation at page 132. It is the “Irish World” of the 22nd July 1882.

At page 136 is a passage to which I call your Lordships’ attention as indicating the charges to be made, practically beginning at the inverted commas. “Davitt explained the secret of the conspirators’ success in a speech of great frankness and ability. Former insurrections in Ireland had exclusively relied on Irish national sentiment. ‘But Irish national sentiment had not succeeded in winning Irish liberty. Recently they had added the power found in the desire of a people to improve them (*sic*) socially. They had to combine the whole Irish race at home and abroad in one vast movement. . . . They had to strike at and cripple the power of Irish landlordism, England’s territorial garrison in Ireland, before they could call into the field of action the full force of Irish manhood and Irish national sentiment.’ The march, to reiterate Mr. Gladstone’s felicitous phrase, lies ‘through rapine to dismemberment,’ and the distinctive characteristics of the League movement, which had made it vigorous and progressive where all preceding agitations had been fitful and weak, are its Jacobin appeal to agrarian greed at home and its direct invocation of Irish-American race-hatred abroad—that hatred which,



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“ as Mr. Finerty admits, no English concessions can abate. Sullivan and Mr. William O’Brien also spoke, but the most interesting item in the programme was the presentation of a service of plate to Pat Egan, the fugitive treasurer of the League, the man who hinted to the ‘Invincibles’ that ‘talk’ would never open the gates of Kilmainham.” Then your Lordships will find at page 146, in the middle of the page, “The rest of the story is told, so far as the facts are concerned, in the columns of Ford’s newspaper, the organ of the dynamite party, and the channel through which as Davitt has gratefully testified, ‘enormous sums of money’ have passed into the hands of the League. From this trustworthy source we learn that Mr. Parnell’s party have been associated, not only before but since the detection of the Phoenix Park murderers, and the disclosure of the origin of the ‘Invincible’ conspiracy, with Ford himself who ‘stands by all he has ever said on ‘this doctrine of dynamite,’ with Egan, who hinted to the ‘Invincibles’ that ‘talk’ would never get the suspects out of Kilmainham, with Sheridan, Brennan, Walsh, Boyton, and Byrne, all implicated by Carey’s evidence, all fugitives to the United States, and all conspicuous members up to that time of the staff of Mr. Parnell’s ‘constitutional agitation.’” I do not desire to read the latter passages of that page now. I merely indicate it to your Lordships, because there is a categorical statement made there with regard to a meeting which may possibly form the subject of some evidence. I only refer to that passage in connexion with the passage which I have just read. Then at pages 152 and 153 your Lordships will find a passage which again puts it most distinctly. “Much mystery still attaches to the relations between the Irish Land League and the Invincible conspiracy, which culminated in the Phoenix Park murders, but a good deal is known besides what appeared in the evidence at the trials of the ‘complicity of some of the ‘constitutionalists’ with that crime.” I am repeating myself, I know, but it is ridiculous, I submit, to suppose that anybody thought that meant Mr. O’Donnell. “It must be borne in mind that the Parnellites maintain that the Land League and the National League in Ireland, England, the United States, are all constitutional bodies working by lawful means for lawful ends. It must also be remembered that there is a complete solidarity established between all the leagues in the three countries. In dealing with the question of funds, at any rate, the Irish Land League and the National League, with the affiliated societies in Great Britain and America, must be regarded as one organisation. The American branch of the League has always been the chief source of supplies; and the English branch was also founded to subsidise the movement in Ireland. The unity of the organisation on both sides of the Irish Channel is proved by a secret article, which was issued by the executive of the league at Westminster three days after the parent society was in Ireland suppressed; the document is interesting also on account of the proof it affords that the conspirators recognised the illegality of their proceedings.” I need not refer to the details of that particular circular. I am only at the present time justifying the allegations we have made in our particulars as to the league and the societies of which these gentlemen were members, being one united and continuous organisation.

Now, my Lords, I have to justify the allegations made or the statements made in the particulars that we have charged that the organisation depended upon the commission of crime. And I would call your Lordships’ attention to a few passages. It is necessary that I should do so once and for all, in order that your Lordships may see that I am not passing outside the charges and allegations which I have made in my particulars.

Your Lordships will find, at page 67, just above the notice of the adjournment in inverted commas, this quotation from “Parnellism and Crime:” “The whole organisation of the Land League, and its successor the National League, depends upon a system of intimidation carried out by the most brutal means, and resting ultimately upon the sanction of murder. The Irish Home Rule Party glory in being the inventors of this organisa-



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“ tion, and openly base their appeals, whether of the wheedling or of the  
 “ menacing kind, upon the knowledge that its power is at their disposal.”  
 My Lords, I referred to that some time ago, when I spoke of the way in  
 which this organisation did its work, and that which was necessary to its  
 success. I mention it now simply for the purpose of indicating to your  
 Lordships the charges and allegations that have been made. I will trouble  
 your Lordships to turn to page 73. This, my Lords, is a statement of  
 my own, not a quotation from “Parnellism and Crime.” “The charge made  
 “ was this—that the Land League and its successor, the National League  
 “ (and I will show you presently, when I come to read the libels at length,  
 “ that they, beyond all question, refer to the Irish Land League), depends  
 “ upon a system of intimidation carried out by the most brutal means, and  
 “ resting ultimately upon the sanction of murder. There are one or two  
 “ other passages to which I will refer when I come to deal with the libels  
 “ later on, in which in different language, the same idea is put forward, that  
 “ a reign of terror, intimidation, and tyranny, supported by outrage, was  
 “ the policy of the Land League during the years to which I refer. Now,  
 “ gentlemen, do not let it be supposed that I am going to deal with the  
 “ small fry of this organisation. I am going to put before you evidence  
 “ of the fact that, in the presence of their leaders, sometimes by the leaders  
 “ themselves, were made speeches at Land League meetings, directly inciting  
 “ to outrage, inciting to arson, inciting to treatment which has led to the most  
 “ iniquitous results. Please understand this—that, while upon the one side,  
 “ I shall put before you affirmative evidence of the infamous speeches that  
 “ were being made by many of these men, sometimes by the leaders them-  
 “ selves, and at other times, in their presence; on not one single occasion  
 “ do we find the slightest speech or one single expression directed to diverting  
 “ the minds of people from outrage, to diverting them from the acts which  
 “ certainly followed, and which, to the knowledge of these men, followed.”  
 My Lords, probably not on one single occasion may the evidence which I  
 shall lay before your Lordships, as it now stands, have to be slightly qualified;  
 but I believe it will be possible to show that in one or two speeches there is  
 something like a reference to, I cannot call it a condemnation of the outrages  
 and the crimes, which have been committed, but, at any rate, the statement  
 is true, that in the vast majority of instances, there is language inciting to  
 crime, without the slightest condemnation of the outrages which followed  
 from the conduct so directed.

I will ask your Lordships to look at page 77, at the last paragraph. “Now,  
 “ gentlemen, I will take you to Castleisland, in which also murders took  
 “ place, and in which I shall be able to prove before you there was practically  
 “ no disorder, and no disturbance of any kind until the Land League meeting  
 “ took place. In the year 1880 Castleisland was honoured by a speech from  
 “ no less a gentleman than Mr. Biggar, who was one of the leading Parlia-  
 “ mentary allies, and Land League Treasurer. At that meeting were present  
 “ Mr. Arthur O'Connor and Mr. Harrington, of the ‘Kerry Sentinel.’ I do  
 “ not like to make mistakes, but I think it will turn out that that is one of  
 “ the Mr. Harringtons who is a Member of Parliament now. Now let us  
 “ look at what Mr. Biggar said in his speech at Castleisland on the 10th  
 “ October, 1880.” Then as I am going to read presently, as part of my  
 evidence, that speech, I need not read it to your Lordships now; but I only  
 refer to that passage as indicating the charges we have made in our  
 particulars. At page 82, the middle paragraph—“Gentlemen, I have  
 “ occupied a very great deal of your time in describing to you what I am  
 “ about to prove in connexion with this Land League. I shall call before  
 “ you, unless any admission by the plaintiff, or his counsel, makes it  
 “ unnecessary for me to do so, witness after witness—I am afraid a great  
 “ many—who will prove the speeches. It will be proved before you that  
 “ these speeches were made in the presence of Members of Parliament who  
 “ are now spoken of as being the trusted allies of Mr. Parnell and the con-  
 “ stitutional leaders, together with Mr. O'Donnell. I shall prove before you  
 “ the occurrence of these murders. I shall prove before you that the murders



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“ followed these speeches in the way I have been describing, and that no  
 “ apparent cause of any sort or kind has ever been suggested, or can ever be  
 “ suggested, with all the ingenuity of my learned friend and those who assist  
 “ him, for this extraordinary outburst of crime, excepting the agitation of  
 “ the Land League, which had been started in the autumn of 1879, and  
 “ continued throughout the whole of the years 1880 and 1881.” Probably  
 your Lordships may remember that that was a passage that was referred to  
 by Sir Charles Russell at the preliminary meeting, and I refer to it now for  
 the purpose of indicating again that the charge was so made, and that we  
 shall attempt to lay evidence before your Lordships to justify the allegations  
 which are made on behalf of the proprietors of “The Times” in the  
 particulars.

Sir C. Russell.

I think that was not made.

*The Attorney-General.*

I have taken it with reference to these observations, and I think you will  
 find it was so made.

Sir C. Russell.

Very well, it is material.

*The Attorney-General.*

Then I refer to the bottom of page 109. “ Now, gentlemen, Mr. O'Donnell  
 “ has told you that for years before 1887 he had regarded the Parnellite  
 “ system with repugnance. He told you through his witnesses and by his  
 “ letters that he had left even the Parnellite Party, and had nothing  
 “ whatever to do with the Parnellite Party in 1883; and yet, writing in 1887  
 “ of an organisation which existed in 1872 and 1880, before Mr. O'Donnell  
 “ joined it, and of an organisation which had nothing in the world to do with  
 “ the Parliamentary action of Mr. O'Donnell, he thinks fit to suggest, for  
 “ the purpose of maintaining this action, that ‘The Times’ alluded to him  
 “ when they talked about this organisation. If a minister has said this, and  
 “ no one suggests that Sir William Harcourt has not said it, why are not  
 “ ‘The Times’ entitled to comment upon it? It is only a part of what I  
 “ may call proper journalism to comment upon such a statement.” My Lords,  
 I only referred to that for the purpose I have already indicated to your  
 Lordships more than once, of showing your Lordships what was charged in  
 the proceedings of *O'Donnell v. Walter*. The proof of that statement will,  
 of course, depend upon the evidence I have to lay before your Lordships later  
 on. Then, at page 112, I have a note at the top of the last paragraph, “ What  
 “ is the basis and sanction of the suitable organisation, except the murder,  
 “ not of landlords, but of tenants, which Mr. Gladstone found to lie at the  
 “ back of boycotting? When Mr. Biggar confines himself to not recom-  
 “ mending the murder of landlords, is it in any degree wonderful to find  
 “ outrage and murder varying in the direct ratio of the frequency of League  
 “ meetings? But all these gentlemen might have been more discreet in their  
 “ reported utterances without affecting the case in any way. It is not neces-  
 “ sary to show that the leaders of the Home Rule movement have directly  
 “ incited to crime. It is enough if it can be shown? Please note this:—  
 “ ‘That the organisation which gives them their power, which elects their  
 “ ‘nominees, and which pays their salaries, derives its power in turn from the  
 “ ‘systematic perpetration of crime.’ That, at any rate, is proved up to the  
 “ hilt. There are volumes of evidence, and it is being added to every day.”  
 Then the passage occurs which happens to be mentioned twice, first in the  
 articles, and it is here quoted again with regard to the Land League and its  
 successor the National League, depending upon a system of “intimidation  
 “ carried out by the most brutal means, and resting ultimately upon the



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“sanction of murder.” At page 118, at the end of the second paragraph:—  
 “The Land League, he argued in the following month (like the National  
 League of to-day) relied upon the ‘combined intimidation’ of boycotting  
 to enforce its decrees, ‘and the sanction of boycotting that which stands  
 ‘in the rear of boycotting, and by which alone boycotting can in the long  
 ‘run be made thoroughly effective is the murder which is not to be  
 ‘denounced.’”

I may pause here to observe that when I come to deal with the evidence of crime which I have to lay before your Lordships, I have some remarkable facts with reference to the amount of undiscovered crime, and the way in which, apparently owing to the action, as we suggest, of the Land League and the National League, criminals enjoyed immunity from punishment. At page 129, about the middle, “We have seen how Mr. Parnell’s constitutional organisation was planned by Fenian brains.” Note this again, is it not ridiculous and absurd to suggest that a constitutional organisation there means a *bonâ fide* constitutional agitation in Parliament. Cannot a child who understands almost the first lessons in reading, see that there they are again speaking ironically and sneeringly as to the organisation they have referred to as “the constitutional organisation. If there was any truth in Mr. O’Donnell’s case he ought to have alleged that was a libel on him. We have seen how Mr. O’Donnell’s constitutional organisation was planned by Fenian brains, founded on a Fenian loan, and reared by Fenian hands; how the infernal fabric rose like an exhalation to the sound of murderous oratory; how assassins guarded it about, and enforced the high decrees of the secret conclave within by the bullet and the knife. Of that conclave to-day, three members sit in the Imperial Parliament, four are fugitives from the law; against one a true bill for murder stands recorded; all the exiles consort with professed assassins since their flight. It remains to show that the distinguished representatives at home have continuously maintained their relations with the murderers who fled and the murderers who harbour them. In Parliament, and before English audiences, Mr. Parnell and his lieutenants have repeatedly denied their American accomplices. They ignore the secret history of the Central Executive. The memories of Brennan, Egan, Sheridan, and Boyton are cherished in silence. They never mention John Walsh, their chief organiser, or Frank Byrne, their secretary. The feats of these heroes in the campaign are shrouded in oblivion. But Ford and Finerty they discuss with the assurance of calumniated innocence. Ford, indeed, did at one time give them some little help. His services, however, were trifling; his paper was merely used as a medium for subscriptions, and the Parnellites would have got the money all the same if the ‘Irish World’ had never existed.” Then at page 144, after reading a manifesto signed by Mr. Parnell, Mr. Dillon, and Mr. Davitt, after the Phoenix Park murders, “Gentlemen, I think you will see this manifesto, which would go broadcast through Ireland, would be a direct attack upon the secret part of the Land League organisation, that part of the Land League organisation which had been promoting outrages, which had been promoting boycotting, and which had been winking at murder.” Now, my Lords, I think I have justified at any rate the existence of the charges, that the organisations depended upon intimidation, carried out by “most brutal means, and resting ultimately upon the sanction of murder.” There are numbers of passages with regard to speeches having been made; probably my learned friends will be satisfied if I mention to your Lordships one or two of them. I will call attention to page 73. I will read the allegation again. That speeches have been made, directly inciting to outrage, inciting to arson, inciting to treatment which has led to most iniquitous results. That, my Lords, I have already read on page 73. There is another passage which I have not read on page 110.

The second paragraph on page 110 is this: “Gentlemen, I have read to you two or three speeches, and you will hear more in which those sentiments are enunciated by prominent members of the Home Rule Party, in the sense in which ‘The Times’ referred to them. It is not fair fighting to leave a statement not open to blame and pick out others and suggest that



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“ they refer to the Plaintiff.” Then I quote the paragraph from “ Parnellism and Crime ” : “ Nor is the turpitude of these incitements to crime in any degree reduced by the cold-blooded condemnation of murder sometimes resorted to by Mr. Parnell and others. When Mr. Biggar says that it is no part of the duty of the League to recommend the shooting of landlords, and when Mr. Parnell points out that recourse to such measures is unnecessary where there is a suitable organisation among the tenants, it is needless to say that they inflame rather than calm the evil passions of their hearers.” Then, my Lords, the allegation in the particulars is that murder followed the delivery of those speeches.

I must refer to a passage I have not read on page 73, the fourth paragraph : “ I shall be able to show you by picking out particular districts that certain speeches were made and language used at those meetings to people already inflamed by suggestions of their ill treatment of the most inflammatory character, and I shall show how murders followed those speeches, and yet speeches again repeated, and this conduct, which I venture to term diabolical, continued for a period of certainly two or three years. I say, if I establish this by the evidence which, though it may be long to take and record, it is necessary should be recorded. I shall make good that part of the libel which it is in one sense necessary for me to make good, namely, that of the organisation of whom we spoke, the allegations were true.” Page 112 : I have already read that passage ; I see I have marked it twice.

Then there is a direct reference to some of these gentlemen as to their remaining in communication with persons who had advocated the conduct which I have referred to. I think it sufficient for the purpose of justifying those allegations in the particulars to call attention to the bottom of page 73, and the whole of page 74. I will now pick out, my Lords, one or two more references to some of the leading charges. I had better probably indicate exactly where the passage occurs, both for the convenience of your Lordships and also of my learned friends to get rid of them once and for all. I refer to the connexion with the party of violence in America. I call your Lordships’ attention to page 82, at the end of the second paragraph : “ It was resolved on the 21st October 1879 that Mr. Parnell should proceed to America in order to obtain assistance. In the course of my evidence I shall prove before you by statements made in the official organs of the Land League Party that Mr. Parnell did proceed to America. I shall be able to show you, I think, beyond all question that he was in communication with men named Ford, Devoy, and with a man named Walsh, and I think I shall be able to show you that about the 11th March 1880, when Mr. Parnell was present in New York, the American Land League was formed ; and, Gentlemen, although I am not certain at the present time whether I shall be able to prove the exact amount, you will have, I think, no doubt whatever that they are very large sums of money which came over from the American Land League to the Irish Land League.” Page 102, I think, I may pass over. I refer to the first paragraph on page 107 which I have already read. Page 116 at the top of the page—115 I should also refer to, it is the last passage where the inverted commas begin : “ In December Mr. Parnell and Mr. Dillon sailed for America, and immediately communicated with Ford and the principal Fenian ex-convicts. It is unnecessary to dilate upon the speeches Mr. Parnell delivered on his tour. They were frankly treasonable. Their spirit may be delivered from the celebrated passage in which the ‘ constitutional leader ’ revealed his ‘ ultimate goal.’ ‘ None of us,’ he declared, ‘ whether we are in America or in Ireland, or wherever we may be, will be satisfied until we have destroyed the last link which keeps ‘ Ireland bound to England ! ’ Mr. Parnell found that sentence troublesome last May, and not for the first time disclaimed it as a calumny. Two days later a correspondent confronted him in ‘ The Times ’ with the special report published in the ‘ Irish World ’ of 6th March 1880. Ford himself has since gently rebuked and magnanimously pardoned the moral cowardice of his leader’s denial.” My Lords, I think I should refer to the whole of this



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passage; probably your Lordships will not think it necessary for me to read the beginning. "This, remember, gentlemen, is not charged as being a libel. How intimate those relations have been—who counselled, who connived at, who condoned individual deeds of blood—is yet unknown," and I call attention to this passage on page 115 down to the words which I have read.

Now, my Lords, on page 116, the last paragraph is the passage to which I was about to refer when my attention was called to page 115. "The General Election of 1880 suddenly interrupted Mr. Parnell's tour. He left his interests in America in the hands of Ford and the Fenians; soon the organisation in Ireland assumed its regular shape. The 'Executive Committee' controlled the whole machinery, and among the most active members of that committee were Mr. Parnell, Mr. Sexton, and, later, Mr. Arthur O'Connor, Mr. Patrick Egan, Treasurer to the League, Mr. Thomas Brennan, secretary to the League, Mr. Michael Boyton, 'Chief Organiser' in Leinster, and Mr. P. J. Sheridan, 'Chief Organiser' in Connaught." Page 129, the top paragraph I have already referred to. At page 150, to which attention has not been called, I think I should read this paragraph, "In view of the desperate but futile efforts still made to draw a distinction between the obstructive and the destructive wings of the Home Rule army, it is very interesting to note how inextricably their affairs are intertwined in the financial department. The two most important collections made by Ford were the Land League Fund and the Skirmishing Fund. This is not alleged to be libellous. This is the part of the article that refers to the connexion between America and this Land League Fund. The first event to maintain the 'constitutional agitation'; that could not mean Mr. O'Donnell in connexion with the Land League Fund. This "constitutional agitation" is spoken of in connexion with the work the Land League pretended that they were doing, and it is therefore, as I said yesterday, used by "The Times" ironically. It is put as showing what it was they meant by using the words "constitutional agitation," and it has a direct successor in the "Parliamentary Fund" for which Ford has been collecting within the past 12 months. Nobody suggested that Mr. O'Donnell had anything to do with the Parliamentary Fund for the last 12 months—he left Parliament, you know, in 1885—if he is not doing so to-day. The second was founded expressly 'to lay the big cities of England in ashes.' The unspeakable scoundrel who signs himself "Trans-Atlantic" was one of the very first group of contributors to the Skirmishing Fund. We know this of his own authority in the "Irish World," and we also know, on the authority of Mr. Parnell, quoted by Mr. T. P. O'Connor, M.P., that he was the first subscriber to the "constitutional" organization. Please note this, gentlemen, "the unspeakable scoundrel who signs himself "Trans-Atlantic." There is one more passage on page 158; my learned friends point out, I ought also to have referred to the lines on page 151 which follow where I broke off, which show that the money used from the Skirmishing Fund was used to buy up the newspaper "United Ireland," which your Lordships will find later on was the recognised organ of the Irish Land League. At page 158 there are a number of references to people by name, many of them, as I have already told your Lordships, are the persons who are named in the particulars. I do not know whether my learned friends desire that I should go through "Parnellism and Crime" at the present time for the purpose of pointing out that these allegations in the Particulars are justified by the allegations which were made in "Parnellism and Crime." Of course nothing is more irksome to me than simply reading passages, but if it is of the least assistance to your Lordships to give the list of names and places, or if it is of the least assistance to my learned friends, we have prepared with very great care and exhaustiveness a list for the purpose of showing that not only the main charges to which I refer, but the subordinate charges and allegations which are made, which range themselves under the same heads, are all made in "Parnellism and Crime."



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*Sir Charles Russell.*

As my learned friend appeals to me, we do not complain at all of anything in the particulars; we complain of what is not in the particulars, and I shall explain what I mean by that to-morrow morning.

*The Attorney-General.*

I am dealing with what I am addressing your Lordships upon. I cannot deal with what is not in the particulars; I can only deal with what is in the particulars. I was only saying that any assistance I can give, without going through the actual passages, I will do so, because I am aware that your Lordship intimated that you had not read the articles.

*The President.*

I stated that I was in possession of the substance of the matter, but I may say that I have read it since, and I may also state that I am in possession of a very minute index of these matters.

*The Attorney-General.*

Then that will relieve me from the task of giving a reference to the allegations, and if your Lordship at any time should wish me to point out where any particular allegation is in "Parnellism and Crime," I shall be able to do so.

*The President.*

It will be more likely to lead to some sort of accommodation with your antagonist, Sir Charles Russell, if he saw those particulars which you referred to.

*The Attorney-General.*

I will see that he has a copy of the pages, and I recommend them to his study.

I think I have, at any rate, certainly after the admission of my learned friend, Sir C. Russell, justified the statement that I made about an hour ago, that the charges and allegations which are embraced in our particulars are charges and allegations that are contained in "Parnellism and Crime."

*Sir C. Russell.*

I beg to state that I did not make that admission; but I stated I was not complaining of anything in it.

*The Attorney-General.*

I do not know exactly what my learned friend means; at any rate at the present time I am addressing your Lordships on the subject matter that is before you. The Commission ordered that the particulars of the charges and allegations made should be given. Those particulars have been given, and I am prepared to justify and to prove that every single one of those charges and allegations is contained either in the pages of "Parnellism and Crime," or in the speech that I made as counsel for the Defendants in the action of *O'Donnell v. Walter*. If that be seriously disputed, I will go on with my somewhat monotonous and laborious task, if it is not disputed, we are content to leave it there.

*The President.*

So far as we are concerned, we think you have sufficiently indicated that the particulars you have given are in fact the particulars of the charges made in "Parnellism and Crime."



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*The Attorney-General.*

I am only too glad at present to be relieved from any further elaboration of this topic, and I will pass to what is at any rate a less monotonous and less laborious task than reading those paragraphs.

I now propose to lay before your Lordships the outline of what I am about to prove with regard to the connection of the individuals with the organisations to which I have referred, and I propose, my Lords, to start practically with the formation of the Land League in 1879. Prior to the formation of the Land League, there had been, as your Lordships know, as a matter of history, the Fenian Conspiracy and organisation, which had to a great extent failed, and it is essential that your Lordships should understand, in connection with what happened at the latter stage of the matters to which I am about to refer, what it was that drew together the various strands, as I will call them, of the organisation, and enabled them to work for the common object. The Fenian organisation, as I gather from the speeches to which I shall have to refer, had apparently failed, because it had in no way interested the occupiers of the land in Ireland. There undoubtedly were, as it appears from the evidence which will be put before your Lordships, a certain number of Fenians in various parts of Ireland. I do not know at the present time how far it will appear, whether any of the particular individuals who are the subject of the charges and allegations were themselves Fenians; it is immaterial for my purpose, excepting that it will appear clearly before your Lordships, that somehow or other a fresh departure was made at the time of the formation of the Land League, and we think it will be essential, in order that you may understand the position, and that you should appreciate what our view is with regard to the causes which led to the combination.

America was the chief source of supplies. It will be proved beyond all question, in fact, I do not know, when the truth becomes to be thoroughly investigated, that those against whom the charges are made will seriously dispute it, that America was the chief source of supply; by far the largest amount of money came from America. The money in America was, as I have already indicated to your Lordships when I dealt with the particular charges, collected to a large extent through Paris, through the agency of men who advocated the most extreme measures, who advocated the use of dynamite, and who advocated most violent steps with reference to the removal of any obnoxious persons who did not sympathise altogether with, or perhaps to any great extent, extreme measures at all. Then there were in Ireland the occupiers of the land, and in connexion with the occupation of the land, it was necessary to satisfy the American people, or the American subscribers rather, that by compiling their agitation and organisation with the agrarian agitation and organisation, their end, that is the end for which they were working, would be effected, and accordingly your Lordships will find, when I come to deal with the speeches which were delivered under the ordinances of the Land League, and by many of the persons whose names are mentioned in these particulars, the landlords were treated as being the persons against whom the attack was to be directed, and so the interest of the tenant occupier in Ireland was excited, because they were led to believe that from this agitation would come to them direct benefit by the land being obtained at a very much lower rent, or, on many occasions, no rent at all. And it will appear, unless the contemporary records are absolutely untruthful, that time after time, those who were addressed at these meetings were told that the effect of the agitation would be to drive the landlords altogether out of Ireland. That is the way in which the interests of those who were occupying the land were drawn in the same direction as the interest of those who were contributing the funds.

Then came the question of how this organisation, this conspiracy, was to be rendered effective; and it will be proved before your Lordships, I do not know whether it will be disputed, that one of the principles which was advocated by the Land League, which was advocated by many of those who are named in the particulars, was this; that no evicted land should be occupied, and that anybody who took possession of a farm that had become vacant by



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eviction, and who took possession of another man's land, should be treated as one of the worst of criminals, should be subjected to treatment such as I shall have to describe to your Lordships, when I refer to the speeches themselves, and if necessary to be removed from the face of the earth. And again unless the evidence which we have to lay before your Lordships is absolutely mistaken, unless the witnesses have been completely misleading those to whom they have made statements, it is clear that time after time the excited hearers at the meetings were told that if any person was found base enough to take an evicted farm, steps were to be taken against him, which would lead, and did lead in many cases unfortunately, to his being removed from the place where he was, and removed by the most violent means, and, if necessary murdered.

Now, my Lords, it was further necessary that these organisations should be general—should be practically universal, and accordingly, after a date which I will mention to your Lordship in a few moments, and particularly in the years 1880, 1881, and 1882, these gentlemen whose names have been mentioned in the particulars were parties to the starting of what were called “Land League branches,” by the hundred in every part of Ireland. The duty of those who carried on these Land League branches was that they were to carry out the doctrines of the Land League in the way to which I have referred. They were to carry out the doctrines of the Land League by making it impossible for anybody to take an evicted farm, to make it impossible for the landlord to obtain any return from an evicted farm, the result being that the American section were informed and were led to believe that if the money which they were subscribing was used for the purpose to which I have referred, that is to say, to spread this wholesale and terrible intimidation amongst those who occupied the land, the most fatal blow would be struck at the landlord garrison, which was supposed to be the English garrison in Ireland. One word more in connexion with this matter, I do ask your Lordships to consider, and to watch most carefully, as you hear the evidence; there is no doubt that there has prevailed, and that it has been recognised as prevailing amongst the Irish tenants, a land hunger. Everyone knows, both writers of history, and those who have studied the evidence in this particular case, that the Irish peasant is most eager to occupy land. Nothing would prevent the Irish peasant from occupying the evicted land, except such terror and absolute intimidation, that he was fearful for his life, and for his existence, and your Lordships will find, when you come to work out this by the evidence that I shall lay before your Lordships, that unless the organisation were prepared to go the length of saying “You occupy this land at the peril of your life,” it would have ceased to have been an effective organisation, and I will show to your Lordships that these men who were speakers, and their agents who were there advocating the steps to which I have referred, did prescribe in fact to their hearers that they were not to allow any person who could be so base, such a brute, such a criminal, such a loathsome object, to remain in possession of, or to take possession of an evicted farm, and the consequences in many instances were threatened of people being named by them; and those individuals who had, in order to gain a livelihood, thought fit to take lands themselves, were treated with violence, subjected to grievous outrages, and were not unfrequently murdered. The actual date which we shall submit to your Lordships that this organisation came into existence, was in the end of the year 1879, and who were the founders of the Land League? Your Lordships will find that the President of the Land League was Mr. Parnell; the Secretaries to the Land League were Mr. Kettle, Mr. Davitt, and a man named Brennan; the Treasurers of the Land League were Mr. Biggar, Mr. O'Sullivan, and Mr. Patrick Egan. Your Lordships will probably remember from the names, that all these are names which occur frequently to a greater or less extent in the pages of “Parnellism and Crime.”

I shall have, unfortunately, in the course of my opening statement to your Lordships, to say a word as to what has become of these men, as to where



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they are now, as to where they have been since certain material dates; but the particular individuals to which I have referred, namely, Brennan, Egan, and some others whose names I will mention in a moment, have not been practically in this country since a date in the year 1883, to which I shall call attention.

Now, my Lords, these leaders of the Land League employed and engaged organisers to go through the length and breadth of Ireland, and I shall mention to your Lordship the names, not of all by any means, but of some of the organisers, the best and most notorious organisers who were employed by the Land League, and whom I shall ask your Lordships to come to the conclusion were paid without doubt by the Land League; men who had no other visible means of existence, some of them even abandoned trades or occupations for the purpose of becoming Land League agitators or organisers. I shall state to your Lordships at once some of the principal names in connexion with this branch of the work, work that it was essential should be performed in order that the conspiracy and organisation to which I have referred might be effectual: Mr. P. J. Sheridan, who was, I believe, a public-house keeper at Tubercurry, and who was one of the principal organisers in the West; M. J. Boyton, who was the son of a Leinster shopkeeper; P. J. Jordan, who was a shoemaker somewhere at Clanmorris in County Mayo; J. W. Nally, who had no fixed occupation; Matthew Harris, now a Member of Parliament, who was then a builder at Clanmacnoise; J. W. Walsh—I believe he is called Welsh, who was a commercial traveller; T. Brennan, who was the secretary; a man named Kelly, who was an organiser in Tralee, and came from Tralee; J. P. Quinn; and a schoolmaster named O'Sullivan. I believe without exception those gentlemen, or those men had practically no interest in land at all. There may be some mistake as to some one, but on the instructions before me those men had personally no interest in this land question; they were organisers for the Land League, they were organisers with the knowledge of Mr. Parnell, of Mr. Dillon, of Mr. O'Brien, and of Mr. John O'Connor, of Mr. Redmond, and many others whose names I could enumerate; I only mention those which come into my head first.

There will be, upon the evidence I shall lay before you, no doubt, and I shall prove before your Lordships, that the work of the Land League, during the years 1881 and 1882, was the starting of branches in, practically speaking, every part of Ireland where there was the least chance of their influence succeeding, of rendering it impossible for landlords in that district to collect their rents, and making it absolutely impossible for any land from which tenants had been evicted to be occupied by any other man, and of punishing those who were rash enough, or courageous enough, to resist the influence and intimidation of the League.

My Lords, about the same time, namely, at the beginning of the year 1880, Mr. Parnell visited America. I think he went to America with Mr. Dillon, and I believe it will be proved before your Lordships that Mr. Parnell's expenses to America were paid by the Land League. It is not a very material matter, but there are several matters in connexion with a relationship between Mr. Parnell, and others of the Parnellite Party, and those in America, which make it not unimportant that the way in which these expeditions to America were conducted should be proved before your Lordships. I think it will appear clearly, my Lords, that from that date there was for a long time harmonious action, if it may be so called, between the American section and the Land League at home, and for this reason, that the American section were satisfied that their ends would be obtained, their objects would be effected by this crusade or war against the landlord and against those who occupied the land contrary to the will of the Land League. The fact that it was spoken of, as I think we have proved, as the Irish nation at war with England, the war being carried on by attacks made on landlords and tenants who would not carry out the views of the Land League, describing them as victims who had fallen in the war, and being in some cases spoken of as being the result of victories obtained by the Irish nation over the English. Your Lordships will find upon the evidence that I shall lay before you that Mr. Parnell and Mr. Dillon, the envoys to America, were in communication



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[Continued.]

with America, with Devoy, who was a convicted Fenian, and, I think, on this occasion, if my instructions are correct, a man named Walsh, and that there was formed on the occasion or shortly after the occasion of Mr. Parnell going to America, the American branch of the Land League, to which a great many members were selected, nominated, or recommended by Mr. Parnell himself; that Mr. Parnell had a great deal to do with the formation of the American Land League, if my instructions are correct, there can be no sort of doubt.

Now, my Lords, who was doing the work of the Land League at home? I have already mentioned to your Lordships that Mr. Egan was the Treasurer, and connected with Mr. Dillon, and that Davitt and Biggar were the Secretaries; but, in the beginning of the year 1881 Mr. Davitt was arrested, and then, my Lords, occurred a fact of very considerable significance, to which with regard to certain other matters I direct your Lordships' particular attention. At, or about the same time, a warrant for the apprehension of Mr. Egan was issued in connection with some supposed charges of the same kind as those in respect of which Sheridan had been arrested. It was a warrant, no doubt, under the then Act which was in force, under which the Habeas Corpus Act was suspended. But, for the purposes of my opening to your Lordships, it makes very little difference as to the circumstances under which the warrant was issued. The result of it was that Mr. Egan left the country, and went to Paris. I am referring to the beginning of the year 1881. Upon Mr. Egan going to Paris, from time to time, a very considerable number of the other leading men of the Land League were found in Paris with him. Mr. Parnell was there, Mr. Matthew Harris was there, a man named O'Leary was there, who I have not mentioned before, and some others were there. My Lords, of course, the mere fact of persons going to Paris is nothing; they may go to Paris for pleasure, or a thousand other reasons, but in connection with what I shall have to lay before your Lordships, I shall submit to your Lordships, upon the evidence that I am asked to lay before you, that the reason why Mr. Egan was in Paris in 1881, was because it was not safe for Mr. Egan to remain either in Ireland or England, and I think your Lordships will consider it important that you should have information at some stage or other of this inquiry as to what was the business which took Mr. Egan to Paris, and what was the business which took Mr. Matthew Harris and the man O'Leary, and the business which took Mr. Parnell there and others. As far as I know upon the evidence before me, Matthew Harris was nothing more than an organiser of the Land League. I shall be able to prove to your Lordships beyond all question that Mr. Matthew Harris was in communication with Mr. Egan as an organiser of the Land League and for no other purpose. I shall also be able to show your Lordships that Matthew Harris was drawing considerable sums of money from Mr. Egan, sums of 20*l.* and 30*l.* at a time. I am not at the present time dealing with how that money was expended or for what purpose it was wanted. I am simply detailing to your Lordships the outline of the evidence upon which I shall ask your Lordships to come to the conclusion that Matthew Harris, Egan, and Dillon, and Mr. Parnell also were with other men in Paris on the business of the same conspiracy, of the same organisation which had been previously carried on in Dublin; and your Lordships will also find that during the time they were in Paris that Egan continued to be the treasurer of the Land League. Of course there may be some explanation of these meetings in Paris of which we have no idea. I am only indicating to your Lordships what I shall be prepared to prove.

At the same time, certain correspondence passed which was put in evidence at the last trial. Some of that correspondence, all of it in fact, but some I shall have to put in evidence before your Lordships, and I wish to refer to one or two of the letters in the course of my opening statement. On the 24th of February 1881, Egan being in Paris, this letter was written by him. I am not present able to tell your Lordships to whom. In the course of this case, in all probability, your Lordships will have full information as to whom it was written to. "My dear friend. Write under cover to Madame



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[Continued.]

“ J. Ronyer, 99, Avenue de Villiers. Mr. Parnell is here, and will remain  
 “ for about a week. I have spoken to him about a further advance for the  
 “ A. fund. He has no objection. You may count upon it. All goes well.  
 “ We have met Mr. O. L., and other friends who are here, and all are agreed  
 “ that prompt and decisive action is called for.” Then, my Lords, I notice  
 in reading the shorthand notes of the preliminary proceedings before your  
 Lordships, that my friend, Sir Charles Russell, no doubt by inadvertence,  
 suggested that I had said that the A. fund was an assassination fund; I said  
 nothing of the kind, or anything capable of such an interpretation. I stated  
 distinctly, as your Lordships will find in the shorthand note, that I did not  
 know what the “A.” fund referred to, but I did say, and that I repeat,  
 that if Mr. Egan’s presence in Paris was for an innocent purpose, if  
 there was no necessity for secrecy about his movements, what necessity  
 was there to write, not direct to him, but to write to the person under  
 cover, whose name is given at 92, Avenue de Villiers. I also call your  
 Lordships’ attention to O. L., who is believed to be O’Leary, “ and other  
 friends who are here, and all are agreed that prompt and decisive  
 “ action is called for.” At that time, in the month of February 1881, I  
 believe I am quite correct in the date, Sheridan had been arrested as a  
 suspect. It was about that time, but not actually at that date. He was  
 arrested on the 15th of March; on the 3rd of February Davitt was arrested;  
 on the 15th of March Sheridan was arrested. What we should suggest to  
 your Lordships in connexion with this letter is this, that prompt and  
 decisive action being called for, was the continuation of the agitation in  
 the parts of Ireland, where the power of the League was not already as  
 powerful as they wished it to be, and that they referred to steps that  
 were taken by Sheridan and other organisers for the purpose of making  
 the power of that conspiracy permanent wherever they possibly could, and  
 of enforcing its doctrine in the way in which I have already referred to.

There are certain other letters which passed at the same time. I do not  
 wish to read them now, because they are not in the least degree material  
 on anything more than upon the question of handwriting. Of course I do  
 not know at the present time what case is going to be made with regard  
 to these letters of Egan, whether it is going to be suggested that they  
 are forgeries or not; if it be, it will have to be an incident into which  
 your Lordships will have to inquire. I think that if all these letters  
 are suggested to be forgeries it will probably turn out that four or five  
 persons’ handwriting has been forged. I do not know at the present what  
 is to be said, but if they are genuine letters written by Egan I shall  
 ask your Lordships to come to the conclusion that Egan was in Paris  
 consorting with many of those whose names are mentioned in the  
 particulars for the purpose of carrying out the business of the Land  
 League, or the business of the conspiracy or organisation, whatever the  
 name be called, as it was not safe for him to carry it out in England  
 or Ireland. And further than that, I shall submit to your Lordships  
 that the presence of this man at the time these events were going on  
 in Ireland, and the receipt of the moneys from Mr. Egan by Mr. Harris,  
 at this time, as I shall explain to your Lordships when I come to  
 deal particularly with the case of Harris, that the position of Mr.  
 Harris is one which I have already indicated as being an organiser  
 for the Land League, and who was a person who was carrying out  
 individually the particular lines which I have said was to be  
 carried out by those who were doing the work of the Land League.

*The Attorney-General.*

When your Lordships adjourned I had read that letter from L. Egan  
 in the month of February 1881, and mentioned to your Lordships that I  
 should put in other letters which passed in the year 1881, with  
 reference to Mr. Parnell being in Paris, and also showing that Egan  
 was in Paris at the time. They are only really important upon  
 subsequent questions of handwriting. I shall put them all in when  
 the proper time comes, and your Lordships will have them before  
 you with reference to any disputed question that may arise upon



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that part of the case. Now, my Lord, I can very briefly pass over the incidents of the year 1881 until I touch that part of the subject which relates to what was being done by the Land League and by those who are mentioned in the particulars during the years 1880 and 1881. I desire to break the story by giving first a statement of what was going on prior to the time of Mr. Parnell being in prison, and showing your Lordship what was being continued after the time that Mr. Parnell and certain others were in prison at the end of the year 1881. I will only mention to your Lordship in passing that in August 1881, "United Ireland" was started. It was a paper of which Mr. William O'Brien was the editor, and of which Egan and Mr. Parnell were the principal shareholders. It absorbed three other papers known as the "Irishman," the "Flag of Ireland," and the "Shamrock," though I am not quite sure whether one of them did not continue for some time as a separate paper published under the same direction as "United Ireland." It is not very material. The important fact in connexion with it is this: that from the month of August 1881 "United Ireland" was to a great extent one of the recognised organs of the Land League and its organisation. I do not pretend, my Lord, at the present time to have dealt with all the matter which I have, and on which I am prepared to give evidence with reference to the year 1881, but having told your Lordship that upon the 13th October Mr. Parnell was arrested and put into Kilmainham in connexion with a certain number of other suspects whose names will become important with relation to later incidents, I am now anxious to make good at once what I may call the history of the doings of the Land League prior to the time of Mr. Parnell being put into prison. My Lords, I admit that the task is one of very considerable difficulty because of the enormous mass of matter which will have to be put in evidence before your Lordships. You will have noticed by the particulars a very very large number of speeches, and of course it would be absurd for me to occupy time by reading the whole of those speeches to your Lordships; but, on the other hand, I am particularly anxious to make clear what I mean; I am particularly anxious to show to your Lordships what was going on, and I propose, therefore, to take certain counties, and instead of merely multiplying the number of speeches and the number of outrages, I propose to bring before your Lordship in as strong relief as I can what were the speeches which were being made to which, practically, all the gentlemen to whom I have referred were parties and in which some of them took part, and what were the consequences of those speeches. I propose to begin with the county of Galway, though I shall refer to Mayo, I shall refer to Clare, I shall refer to Kerry, and possibly I may refer to Cork, unless it should become unnecessary in the course of my making clear my statement to your Lordships. In the first place, I will give your Lordships the general features of what I am going to say. I am going to show in a large number of instances, practically speaking, a quiet state of things prior to the time when these speeches were being made; the ordinary number of police required, and such a condition of crime as will be found to commonly take place, assuming there to be no disturbing element. I shall show your Lordships by overwhelming testimony, concurrently with the delivery of the speeches, and following immediately thereon, outrages increasing both in number and in violence, police force being required to be enormously increased, and, in fact, the ordinary relations between the authorities and those who lived in the counties and those particular parts being absolutely disturbed and uprooted. Further, I shall show as I have already indicated more than once to your Lordships this morning, that there was practised upon the people who had offended against the decrees of the League, who were not carrying out what was supposed to be the law of the League, punishment of the most cruel, vindictive, and disgraceful character. My Lords, your Lordships will not have forgotten that I mentioned to you before the adjournment that one of the doctrines and principles, and main tenets of the Land League was, that no evicted land was to be taken possession of, that no person was to occupy evicted land; certainly not without the consent of the Land League. Now, I ask your Lordship to let me paint to



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[Continued.]

a certain extent by simply reading the speeches, a picture as it may be described of the county of Galway in the year 1880. Your Lordship will be able to judge of whether or not I have unduly exaggerated the matter when I read the series of speeches which occurred in the county of Galway in the year 1880 and the year 1881, and when I describe to your Lordship what was the condition of that county before and after those speeches had been delivered. I will in no case, as far as I know, read a speech, except one which was made by those who were the recognised organizers of the Land League, or were actually persons who are named in the particulars, or persons for whose conduct I shall be able to show the persons named in the particulars, are responsible. Now, I call your Lordships' attention to a speech delivered in County Galway, at Glennamaddy.

Sir C. Russell.

I will ask your Lordship whether your Lordships have copies of these speeches, for we have not?

*The Attorney-General.*

I anticipated my learned friend might wish it.

*The President.*

In what form have you got them before you?

*The Attorney-General.*

I have them in the form of each speech on a separate sheet.

*The President.*

Very well. If you hand them in, I hope they will be printed to-morrow morning in the shorthand writer's report of each day's proceedings.

Sir C. Russell.

That is not a very convenient form.

*The President.*

It is the only way in which I can do it.

Sir C. Russell.

My learned friend was good enough to say he will let me have a copy.

*The Attorney-General.*

What I said was, I would, as far as I possibly could, meet the convenience of Sir Charles Russell in this and every other matter. I cannot possibly undertake to do it on every occasion, but, where I can, I will give him, if possible, at the time it is put in, a copy of the printed extract.

Sir C. Russell.

Can you give me a copy of the volume you have?

*The Attorney-General.*

I cannot give you the volume I have.

Sir C. Russell.

I say a copy of it.



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[Continued.]

*The Attorney-General.*

My learned friends will hand you, as soon as they can, a copy of the speeches I am going to put in.

*Sir C. Russell.*

My learned friend will see that justice requires that if there are a number of speeches from which only passages may be read, or speeches by other persons which will not qualify what my friend relies on, we ought to have an opportunity of seeing the speeches.

*The President.*

I cannot tell about that. I can only deal with that which the Attorney-General puts in. There must be another copy of those documents.

*The Attorney-General.*

Certainly.

*The President.*

As you read them probably one of those who assist you will hand them to Sir Charles Russell.

*The Attorney-General.*

That is exactly what I proposed to do.

*The President.*

In addition to that, if you hand in a copy to the officer of the court, I hope everybody will be able to see them to-morrow morning.

*Sir C. Russell.*

I think my friend has hardly appreciated it. I was asking that my friend should hand to me, if he had it, a copy of the speeches which I see are here in a large volume, in order that I may have an opportunity of opening my case.

*The President.*

I understand he proposes to do so in regard to each speech as it is being read. Of course, that is all that I can require the Attorney-General to do.

*The Attorney-General.*

I am opening my case, and I can appeal to your Lordships' experience of what has happened. I have gone beyond what is ordinarily conceded to counsel. As I open the case of each speech I read, I will, if possible, hand my friend a copy at the time, but to say I am to give to my learned friend the whole mass of speeches I have got, and to allow him to make any use of them he thinks fit——

*Sir C. Russell.*

Why not?

*The Attorney-General.*

For the simple reason that I am myself dealing with charges against particular individuals.



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[Continued.]

*The President.*

The Attorney-General is entitled to open the case in a manner which he thinks right. If it ultimately turns out he has done that which is not right, it will be commented upon.

*The Attorney-General.*

I am sorry to say I am responsible for any faults I make in that matter. This is the speech of Mr. J. W. Nally, a well-known organiser for the Land League, and one, as I shall show your Lordship afterwards, whose services were specially commended by Mr. Parnell. At Glennamaddy, on the 16th May 1880, he proposed a resolution declaring that they would regard a land-grabber as the enemy of their country, and pledging themselves never to occupy a farm from which a tenant had been evicted or surrendered for non-payment of rent.

*Sir C. Russell.*

My Lord, I will ask this before this is read:—A good deal will turn upon this. I now see it would be much more desirable we should discuss the particulars before this stage was reached. I do not find this speech enumerated in the particulars given, and I do not see anything in my friend's statement, so far, to connect any of the 65 persons who are scheduled as persons here incriminated as having been present at this meeting or taken part in it, nor do I even gather that these speeches, of which this an example, have been set out by the Defendants in *O'Donnell v. Walter*, as being documents in their possession. They have discovered the copies of "The Times" newspaper, and so on, but they have not discovered these.

*The President.*

We should not interfere with the Attorney-General's discretion in opening the case to prevent his citing it, but, in addition to that, this will be much better reserved for the discussion which I am afraid you are going to raise to-morrow morning.

*Sir C. Russell.*

Yes; and also when the evidence is tendered very probably.

*The President.*

That, in my judgment, would be better.

*Sir C. Russell.*

I agree it is inconvenient, but my friend and I thought that I ought at once to interpose.

*The President.*

I take it as an indication that you reserve the right.

*The Attorney-General.*

I have not shown any undue sensitiveness to the interruptions of my learned friend; but I venture to say with respect to this, I have the responsibility of opening the case. I am going to prove the position of this man. I stated, but my friend did not do me the courtesy to listen to me, that this man was one for whose services to the Land League both Mr. Parnell and Mr. Dillon pointedly referred.



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[Continued.]

*Sir C. Russell.*

I heard you say so.

*The Attorney-General.*

Then I do not understand how my friend says I am not going to connect this gentleman with either of the persons named.

*Sir C. Russell.*

Either of the persons named as being present at or in any way connected with this meeting.

*The President.*

The Attorney-General must be allowed to open his case in his own manner, and we will deal with these objections or anticipated objections by-and-by.

*The Attorney-General.*

He "proposed a resolution declaring that they would regard a land-grabber as the enemy of their country, and pledging themselves never to occupy a farm from which a tenant has been evicted or surrendered for non-payment of rent.

"They should join together in the hillside and valley, and everywhere until they get rid of that accursed, hated, system of landlordism. Come forward then, like men, and put those blasted landlords in the same position as they themselves have been for a number of years. What I come here for is this, to say that every one amongst you will join the Land League until we put away landlordism and every 'ism'; I don't care a damn about all 'isms.

"It is well known in this county that against landlordism I will work tooth and nail, and until I see those scoundrels called landlords banished in oblivion."

At the same meeting John Kelly spoke: "If the people were but loyal, they would soon manage the landlords. I mean if a man was evicted that no man would meddle with his land, but make him a black sheep in the parish. They may return Members to Parliament, but we can have a Parliament at home by establishing branches of the Land League. Let the land be left waste. Let him that does be pointed out at market and fair. Let no one buy or sell with him. The chief object of this meeting is to put down tyrants." Mr. Kilmartin spoke. I shall prove Mr. Kilmartin was frequently on the platform, and made speeches with many of those who are mentioned in the particulars. This was his speech on that occasion: "Join the Land League; never take a farm from which a man is evicted. Ostracise the villain who would do such a thing. There is not a greater criminal ever swung on a gallows than the man who would take that land. Point to him as he goes the road, and say, 'Behold the villain.' Would you not hunt a mad dog from society? The desperate villain who would bid for the land is 50 times worse than the mad dog. With regard to rack-rent, where is the tenant who is not rack rented? Offer a fair rent, and if they do not take it, put it in your pocket." Mr. Fitzpatrick also spoke, and said: "What is the end proposed to you by Charles S. Parnell, the uncrowned Prince of Ireland? Keep a firm grip of your holdings, feed your wife and children first, and the landlord after."

Now, my Lord, on the 25th July of the same year, at Milltown, in County Galway, Thomas Brennan, the Secretary of the Land League, and Mr. P. J. Gordon, one of the organisers of the Land League, spoke, and I will read to your Lordship the two speeches of Thomas Brennan and P. J. Gordon.



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[Continued.]

*The President.*

In the same year—July 1880?

*The Attorney-General.*

Yes, 25th July 1880. He said "An onslaught had been made on the system, which degrades labour in Ireland (great groans, and cries of 'Down with them;' 'to hell with them;' 'card them.'") I want to call your Lordships' attention to the interruption there—"carding them." I shall have to refer to an outrage in this particular district, an outrage very shortly following these meetings. "That system is not dead, but we shall continue to strike, until we bring about a state of affairs when labour shall be the recognised system. We are in open insurrection against landlordism. The speaker then referred to a local landlord whom, however, he did not name." Then someone in the crowd shouted out the name of "Bodkin." Then the speaker says "When I say 'Ireland a nation,' I mean something more than a green flag flying from Dublin Castle. The highest form of Government is a republic: you may establish an Irish Republic on Irish soil." Your Lordship will find running through all these speeches that element which I mentioned this morning as being the element which bound together the American organization with the other branch of the organization, namely, the determination to have complete separation of Ireland from England. "They were assembled to denounce the landlords who have plundered them of their lands, determined to denounce the land-robber. If they are determined to keep a firm grip of their homes, they will not allow Bodkin to drive them from their homes." Bodkin was the landlord, your Lordship will remember, whose name had been mentioned in the course of the previous speech.

"He carried out a poor unfortunate woman; there was no crime against her, but following the doctrine laid down by C. S. Parnell, and that doctrine I will preach to you, that every man and woman shall keep a firm grip on the land. If I were evicted, I would say, Oh, God! you have created this land for me, and sooner than die a victim, I will die on the spot. If you die in the workhouse you have no one to go to your funeral (groans for John Barrett, the robber). If you fight, fight for the land of your country; if you draw a sword you would not be begging yellow meal. You will get measures by determination; as Mr. Gladstone said, the only measures given to Ireland were given by the Fenians. I don't want you to give a blow of a stone to the landlords, but you may do it if you like. If your land were taken to-morrow, would you not harbour revenge in your bosom? Let there be no scoundrel amongst you to take land. Have the curse of God on such a man. The speaker then alluded, by name, to a land-grabber named Billy M'Hugh, and told the people they knew him, to shun him, and have no connexion with him. He advised the people to watch every man who will dare to take a scythe 'to cut the grass on evicted farms,' and voices from the crowd said, 'we will cut the hands off him; we will cut the elbows off him.'"

The reason I refer to these interruptions is this, for the purpose of showing how these speeches were understood by the crowd. I ought not to pause on every occasion to describe the reason or the references to particular individuals. They will become very self-evident when I read the story of the outrages afterwards. Your Lordships will find occasionally persons' ears being cut off and personal outrages being done to persons who had been named by the speakers at these meetings. "He referred to some pending evictions on the property of Mr. Seymour, whom he also named, and told the people to stick to the cabin; if they are good soldiers the Land League will help them. If they are cowardly dogs the League will not recognise them. 'God says, it is better for one tyrant to fall than that many should perish.' Keep a firm grip of the land; the man who dies under that system of robbery is a sneak, not a man."

See  
Full  
report  
of this  
meeting



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[Continued.]

Then J. W. Nally, the speaker to whom I referred, at the same meeting said, "Why do you allow land grabbers to live;" the landgrabber, of course, my Lord, your Lordship will gather, is a man who takes the evicted land; "why do you allow them to exist? The only way I want you to put them from existence is this: don't speak to them, leave their corn and meadows uncut, and they will commit suicide without the pills." My Lord, the pills which were there referred to, as your Lordship will find from other speeches of Mr. Nally, were bullets or shot with which the men were to be shot. That will appear absolutely perfectly self-evident from speeches made by Mr. Nally, to which I am going to call your Lordship's attention. "Without unity and organisation we cannot get rid of that blasted system of landlordism. Mind the landgrabbers." On the 19th of September 1880, my Lord, at Riversville, in County Galway, at a meeting at which Mr. Matthew Harris was present, a member of Parliament (and my learned friend will find particulars of all the meetings at which members of Parliament were present in the particulars), there were two speakers—Mr. M. M. O'Sullivan and Mr. Matthew Harris. They "said they were assembled to stamp upon the landgrabber 'the indelible stigma of public abhorrence.' Where the landgrabber existed they should meet together to denounce him. (Cries of 'Maim him,' 'Shoot him.') The speaker did not rebuke these expressions, but merely said, 'No, do not speak to him at all; if he goes into chapel, make a ring around him that everybody may see him.'"

Now will your Lordship kindly note this next name: "Mr. Murty Hynes is destined to have his name written in history with a very questionable, in fact, unenviable notoriety. The only way that Mr. Murty Hynes can retrieve his name is to come upon this spot where we are standing, and give up this farm." That your Lordship may follow the story I have afterwards to tell, I wish to tell your Lordship now that Mr. Murty Hynes did come and give up the farm; that a man named Dempsey took it after him, and was shot dead, for no other reason whatever, except having taken that farm. "He referred to the eviction of the chairman of the meeting from his holding on the property of Mr. Persse, of Roxborough, whom the speaker named, and called him a traitor to the cause. Let him be amongst them a marked man, a man upon whom every man will look as if traitor was marked with a brand on his forehead. Will you not thus mark him? Keep him with that brand on his forehead till he comes and makes restitution. I promise him that though to-day I have restrained my tongue, for if I let it free the hideousness of the act would cause me to say words that may be harmful to the cause I advocate." Then Mr. Mat. Harris spoke. He "denounced Lord Dunsandle who," he said, "should be held up to public opprobrium. Had they made the country too hot for him in the sense of a country being too hot for the man who is hated by the people, the exterminations which had taken place on his property would never have taken place.

"He compared the landlords to the Indian tiger, and said that when a bad one, his agent or bailiff, comes to a district to put people out of their peaceable homes, they should all congregate as people do in Bengal, and drive that worst of tigers from their midst.

"He also denounced the Persses, of Galway, especially Burton Persse, whom he warned that the people 'will not put up with his oppressions any longer.'

"Referred to the grabbing of a farm by Murby Hynes (see speech of M. M. O'Sullivan), and said that if he did not give it up he would find the public feeling not alone against him, but against every member of his breed."

On the same day at Kilconly, in County Galway, the 19th of September P. J. Gordon—

Sir C. Russell.

As you mentioned Dempsey being shot will you mention the date?



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[Continued.]

*The Attorney-General.*

I am going to mention the date of Dempsey's being shot. I am very sorry, but I cannot open my case exactly in the way Sir Charles Russell wishes it, although I am willing to give him every information I can, but if he will refer to the proceedings in "Parnellism and Crime" he will find the whole story is told of Murty Hynes giving up the farm, and the date Dempsey was shot for having taken it.

Sir C. Russell.

I mean you connect it with the speeches.

*The Attorney-General.*

Your Lordship will judge how far that interruption is either called for or necessary in order to correct any statement I have made. It is quite true that Dempsey was not shot till the year after, but Murty Hynes did not give up the farm for some time, and it was not till after Murty Hynes had given up the farm that Dempsey could take it, and it was when Dempsey would not give it up, but stuck to it that he was shot for simply taking a piece of vacant land; no other offence but taking a piece of vacant land. Now, on the 19th of September, if I may be allowed to resume the story I was telling, P. J. Gordon said this: "That a judge of assize had observed 'that the law ' 'was made clear that every man is bound to protect himself even in taking ' 'down of the life of another.' If that is good law, I (the speaker) say the tenants ought to adopt it. I tell you to resist tyranny, even at the cost of your life; it is better to die fighting than die in the workhouse. I will ask you again to proclaim to-day, as honest men before God, not to give up your land without a struggle.

"Have no bowing and scraping before these land robbers and land bastards that surround this locality. Three cheers for O'Leary and Rafferty, and three cheers for every honest Fenian in Ireland. (Cheers.) If you are an honest Irishman you must be a Fenian; if there is an honest Irishman that says, I wish to see my country free, he must be a Fenian."

Your lordship will notice it cropping out from time to time in the conspiracy. My Lord, I have heard it suggested in connexion with this kind of agitation, that the leaders of the Land League were protecting people from outrages. I do not think my learned friend will be able, with all his research, and with the immense stock of information he has at his disposal, to point to any cases where any of the leaders of the Land League ever interfered to protect a person who was called a landgrabber from being boycotted, intimidated, and, if the local branch thought it necessary, his life being sacrificed. Of course, my learned friend is quite entitled to do it if he can show that the picture I am drawing is a completely incorrect picture. I only speak at present from the information which I have before me. Now, my Lord, on the 26th September in the same year, at Clonbar, in County Galway, there was a meeting at which there were present James Redpath, the correspondent of the "Irish World" newspaper, J. W. Nally, the organiser, to whom I have already referred, and P. J. Gordon. The extract I have from a report of Mr. Redpath's speech is this. He said that "the Southern States hate the English Government. Do the English people know the hatred that is against them in Ireland? (J. W. Nally: cheers for the Irish Republic.) Speaker; P. J. Gordon. If you take the bayonet and sword I am with you. If 30,000 men would join and strike one deadly blow, you will be asked to do so. The English Government is guilty of murder and robbery. Organise morn, noon, and night. Hold a firm grip of your homesteads. Keep the harvest. Form secret societies." My Lord, what were these secret societies to be formed for? Against whom were these speeches directed? My Lord, the more these people ima-



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[Continued.]

gined that they were suffering from wrongs, I submit to your Lordship, the greater was the wickedness of those who endeavoured to stir them up to acts such as are indicated in the speeches I am reading to your Lordship. Now, on the 10th October, at Clerhaun, P. J. Gordon, R. D. Walsh, and J. W. Nally, were all present, the same persons whom I have stated. P. J. Gordon "called upon the people not to take an evicted farm, and if any of them should do so he would 'pray that he shall send himself to perdition.'" He "referred to Mr. Murray McGregor, of Blackeree, as a land-grabber, and abused two other landlords, Mr. Bourke, of Ower, and Mr. Browne, of Clarne." Then "a reference to land-grabbing provoked the interference of J. W. Nally, who observed that they should take him very quietly away, they knew where to put him. Gordon went on to say that Murty Hynes threw up the farm he had taken because the people assembled in their thousands, tumbled the ditches, and scattered the wall." Walsh said he "was present as 'the representative of the Irish 'National League.' Said he had asked Mr. Hackett to join the League (vide of speech of J. W. Nally), and that he (Hackett) replied, 'No, get out.' Walsh then called upon the people not to go into his house, because he is a tyrant. Also called for three cheers for Allen, Larkin, and O'Brien." I do not know whether your Lordships remember that Allen, Larkin, and O'Brien were the men who were tried and convicted and hung for the murder of Chief Constable Brett in Manchester, an incident I may mention in connexion with the organisation of the Land League and the American section of it. Your Lordship will find the "martyrs' fund" started for the families of those who had been guilty of similar crimes. Calls for three cheers for Allen, Larkin, and O'Brien. "If the men here to-day do not do something for their country, their sons will curse their memory. I am one of those who believe in the amelioration of Ireland with the sword; still, I say, let all be combined and united first." Then there is a passage which the reporter has not got. "I say if you combine and organise, and educate yourselves, the day is not far distant when the sun of liberty shall shine over your heads, and you shall rise before the world a glorious nation." Then Mr. J. W. Nally said, "That for any man who took an evicted farm they should 'come for the pills, and pills only' (voice, Holloway's ointment). 'That (the ointment) is too mild, when the pills will go they will want no ointment.' Without organisation we cannot get total separation from that hated, detested, and blasted Government that we are under at present." He then referred by name to certain persons whom he accused with grabbing, viz., Bottrell, Pat Davis, John Tully, Keane Keating, J. Casey." Then somebody called out "We have another name, Hackett." Hackett, your Lordship will remember, was the name referred to by the previous speaker. "He implored the people to join the Land League. Said he had seen Father Conway, who jumped with joy when he told him he was coming to this meeting, and said 'Light was wanted in that country.' (A voice, 'Christians will tell that, boys.') He had also met Father Corbett in Claremorris, who told him to come here, break down every door, and let in the light." Now, my Lord, on the 30th October in the same year, 1880, what was being done was that Galway was being thoroughly organised, and what the Land League and its supporters mean by "organised" is that the Land League decrees are paramount. There is no necessity for further organisation when everybody obeys the decrees of the Land League. "P. J. Gordon"—

Mr. R. T. Reid.

What was the place?

*The Attorney-General.*Abbey Knockmoy.

"Referred by name to a landlord, Robert Henry, of Togher, whom he called a land-robber and land-shark, and whose name, he said, sunk deep into his heart.



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“When I see before me the motto of that independent nation, the stars and stripes, I hope and trust that the day will yet arrive when the stars and stripes will float on the hill-tops of Ireland. (Cheers.)”  
 “Some one might say that Gordon came here because he is well paid for it. I am not under any obligation to the National League or to you. I am well paid if the land-shark is crushed to the earth.”

*The President.*

Is this Gordon?

*The Attorney General.*

This is P. J. Gordon, the same man.

“Let none of you take a farm from which another has been evicted.

“On this day week I attended a meeting at Clonbur; I got a telegram from Father Conway. When I arrived there I had the pleasure of hearing that some great land robber was murdered, or shot himself. The Government of England were murmuring because Mountmorris was shot. He denounced one D. B. Leonard (a landlord) as the ‘devil’s bochel.’”

“The Judges of Ireland are well paid, because the more crime is committed, the more pay they get for it.” That is his view of the payment of judges, which is certainly unique, and, as far as I know, without precedent.

“Although I am not here as a representative of the League in person, I represent the League in form throughout the country.

“Let every man and woman join it. Until Ireland is proclaimed a nation I shall work by day and write and plot by night. England is here only as a robber.

“There are land sharks in this village, treat them as you would a mad dog.

“Murby Hynes took a farm, and when he found that the people were hallooing him, he gave it up, and to-day I had the pleasure of distributing 100 copies of the song composed for Murby Hynes.”

At the conclusion of this speaker’s speech cheers were called for him, and as the reporter states, there was “great cheering.”

On coming forward a second time he denounced Mr. Isidore Burke, a landlord; also the Prince of Wales, upon whose moral character he cast aspersions, and asked the people “in the name of God the Father, God the Son, and God the Holy Ghost” to combine until they “got shut of landlordism.”

Father Cahill and Father Eglinton were also present at this meeting.

He also said, “The priest has spoken of a minister who has no appointment from God or man. He stands up to preach over the remains of a dead lord—or dead dog, if you like. I have been on the spot where he was shot. Why did not the Government mourn over the dead body of the people. I say it is better that one tyrant should fall than that many should perish.”

At the same meeting, my Lord, John Hanly spoke: “You have a young man at the bank of the parish who owns a property worth from 7,000*l.* to 8,000*l.*, and who admits he has a capital of 200,000*l.* saved since he got the property.” (A voice, ‘He wants the steel.’) He does not, he would not, even give one farthing abatement to his tenantry. (A voice—Why don’t they shoot him.) He is the man that says he cannot afford to pay an agent with his 8,000*l.* a year. (Groans, and cries of Walter Blake.) I say this here to-day that the man who will go either to Galway or Mountbellew to pay in his rent to Walter Blake, I say on his way home that he may get what they call the Irish ‘fearagurthok.’ (Great cheers.) He does not know who he is making the money for. (A voice—For the devil.) He will die like Croesus. He will ask at the eleventh hour, give me a bit of gold to put into my mouth, in order to put into the coffin. (Voices, He won’t get time; maybe it’s a bit of steel he will ask.)



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“ I tell Irishmen not to go out except at the point of the bayonet, and  
“ don't go out all if you die ; die at the point of the bayonet.”

Your Lordship will observe there a reference to Mr. Walter Blake as the agent. I shall have to describe to your Lordship presently, in connection with these particular speeches, the circumstances under which Mr. Blake was shot, and murdered, on the 11th December of the same year. I withdraw that speech for the moment, though I will read it if my friend wishes, because I am not sure, on my instructions, of being able to prove that either of those speakers were direct organisers of the Land League. That they were connected with local branches of the Land League there is no doubt ; but I do not wish to open any speech upon which, on my instructions, I am not able to prove the responsibility of those against whom the charges and allegations are made.

*The President.*

Is that the one you read ?

*The Attorney-General.*

No ; I gave the date, the 11th December.

*The President.*

You said you would withdraw it. That is why I asked.

*The Attorney-General.*

On the 19th December, at Ahascragh in County Galway, the speakers were Mat Harris and Thomas Griffin. “ Thomas Griffin advised the farmers  
“ to go in a body to their landlords, to stand before his office window and  
“ tell him to come out, and ask him why he brought them there. If he  
“ refused to take the rent at Griffith's valuation they should keep it and bank  
“ it. It was impossible for a landlord to crow over his tenants even if he  
“ had all the British bayonets at his back.

“ The speaker then related what had occurred at Gurteen on the day  
“ previous to the meeting. He said there were four tenants on the property  
“ of the late Major O'Reilly, who had paid more than Griffith's valuation.  
“ ‘ Well, we summoned them to appear before the Land League executive ;  
“ ‘ they came as submissive, they told us they acted in ignorance, one was  
“ ‘ fined four shillings, another three shillings, another two, another one ’ —  
not the only instance by any means, my Lord, of the procedure of the Land League, of summoning the poor, unfortunate peasantry before them, and fining them because they had acted against the wish of the Land League, or not in accordance with its principles. Mat Harris said, “ He thought it  
“ might be in his power to get into the English House of Commons, he  
“ would consider he was degrading himself as an Irishman if he entered that  
“ House.” Well, circumstances have occurred since under which Mr. Matthew Harris did enter the House of Commons, “ He wanted to crush down bad  
“ men, and it was a mistake on the part of the tenants of Lord Clonbrock  
“ and Mr. Mahon to think they were coming there to denounce any man.  
“ He did not come to hound down any good man because they had enough  
“ of these vile exterminators. They had enough to denounce.

“ He then referred to Judge Fitzgerald's charge to the Grand Jury at  
“ Assizes, and to that Judge's observations regarding the action of the  
“ people ‘ in taking a widow in the town of Askeaton and putting her back  
“ ‘ into her place.’ The speaker said that Judge Fitzgerald had declared  
“ this act to be a heinous crime, and his advice to the people was long may  
“ you continue to violate the Judge Fitzgerald's charge.”

I do not know who the man is at the bottom of that page. I will read it if you wish it. It happens to be on the same page. Now, my Lord, on the 17th March 1881, at Loughrea, in County Galway, Mr. Dillon spoke.



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[Continued.]

He said "that the only way to break down the power of landlordism and to reduce rackrents, was to maintain the rule by which a man who goes and speaks alone and treats alone with his landlord will be looked upon as a traitor, and that he and his children afterwards will be considered such by the neighbours he has betrayed.

"We never told you we would face the police and prevent evictions by force. On the contrary, we told you from the beginning that we could not do that, because we have not got the means, and the armed men and the discipline to do it."

This next is the language of Mr. Dillon:—

"In many an Irish county, some 50 farms were lying idle, and which no Irishman can be found base enough to put his foot in. These farms are warnings to the Irish landlords and a protection to the tenant. I tell you here to-day that the day which sees these farms occupied, and which sees you and any tenant on friendly terms, or having any dealings with the wretch who occupies an evicted farm, will see the ruin of your cause, and the yoke of landlordism on your necks.

"The advice which I would give you is this: do not allow, do not consent to pay an unjust rent until you are compelled to do it.

"Remember, above all things, that whatever you do, whatever decision you come to, whatever terms you are prepared to offer to the landlord, the tenantry on every estate shall do the same thing together, and no man shall be so base or traitorous as to go and make arrangements for himself without consulting his fellow tenants, and not acting in common with them.

"I appeal to the young men of Galway especially to show a bold front to those tyrants (landlords). Teach them that the Irish race is rising all over the earth to-day; teach them that there is a power still in the Irish race to destroy Irish landlordism, and win back the fair fields of Ireland for the people from whom they have too long been kept."

My Lord, your Lordship can appreciate, I think, the effect of such speeches upon the ignorant, half educated men who were being made the subject of these violent orations by the speakers to whom I have already been referring. On the 20th March 1881, Mr. Matthew Harris, at Galway, said this (I refer to this, my Lord, not so much for the purpose of the actual language used, as for a reference to another speech which I shall have to prove later on):

"When men scatter ejectments in all directions, I say that not only we are bound to denounce them, but we would be morally wrong if we shut our eyes upon them. No man should bring forward crime, but when crime does come it is the duty of every gentleman to crush that crime. A great cry was raised about that word of shooting down partridges."

That, my Lord, was a reference to a speech of Mr. Matthew Harris which is alleged to have been delivered, that he would shoot down landlords like partridges. "Well, the landlords of Galway have not used any such language, they are too wise, they are too hypocritical. Don't they strike down the people more unmercifully than partridges? Lately I have travelled a great deal through the Co. Galway, and what do I find? I found the landlords scattering about their writs of ejectment, and I say to those assembled, what is the use of the Land League if I stand up without denouncing it?"

On the 25th of March in the same year at Killimore, Matthew Harris said,

"When I came here to-day, I was told by the Rev. Chairman not to indulge in personalities, that is, not to mention any names. But there are a good many landlords in this locality that I would like to speak about. My friends, before I conclude, I would like to remind you to beware of the landgrabber, and I am told there is one in this district named Kennedy." I will ask your Lordship to note this kindly. "That vile wretch, keep away from him, for his breath is contaminated; he is a disgrace, not only to their locality, but to all Ireland. I am told this wretch has six of the Royal Irish Constabulary guarding him every day. They march up and down with the plough as they tear up that poor widow woman's land. I am not enamoured with the constabulary, but still they are a respectable body of men in general;



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[Continued.]

“ but when they are sent to do the dirty work, and when they are employed  
 “ guarding such a wretch as this Kennedy, they will soon become as contami-  
 “ nated as himself. So keep away from this Kennedy as if he was a demon  
 “ from hell. There was great groaning at the mention of Kennedy’s name.”

On the 3rd of April 1881, at Clifden in County Galway, Mr. Matthew Harris also spoke. He said, “he denounced Mr. Henn, County Court Judge. Said that a number of decrees had been taken out at County Sessions by a man named Robinson, who, when asked by the Land Commissioners whether a peasant proprietary could be established in Connemara, replied, “do you want to establish the vermin on the land?” The speaker went on to say that when Robinson was going about amongst them formerly without police protection, they were no better than vermin. But let no one say he wanted anyone to shoot Robinson. No, but there were other ways of dealing with him. In China there were people who were fond of the flesh of fat dogs, and there were dog butchers, and whenever one of those dog butchers made his appearance on the streets, all followed and howled after him; and when this Robinson would go amongst them, every man, woman, and child should follow and howl at him.

“Then he told them something the Land League wanted them to do. They should resist eviction to the last; and when the sheriff came, if they could not resist the scale, some of their friends should buy their stock or goods for them, and the Land League would pay all legal expenses for them in every case, provided they belonged to it. But they should resist in a legal and constitutional way—Thig-um-thu?”

I understand the expression “Thig-um-thu?” means “Do you understand?” It is the nod that is given. It means “Do you twig?” It is the Irish expression for “Do you twig?” On the 7th of April 1881, at Carna in County Galway, Matthew Harris was the speaker. He said, “you have a bad landlord in this locality, or landlady, Mrs. Forbes, I mean. I believe she wears the breeches. Mrs. Blake of Renooye, is not better than a she devil. The middleman is abolished in other parts of the country. Not alone have you had landlords”—have you “bad” landlords, I should think, “but had agents and bailiffs. We will crush landordism. It is on its last legs.

“The Land League will give all assistance. Hold firm, don’t cringe. Mark the man who takes land from which a man is evicted, let the bad man stand isolated.

“Mr. Robinson called the people of Connemara vermin; the people of Connemara ought to treat him as vermin. Leonard of Tuam, I will say nothing about. I will denounce him at his own door.”

Then, my Lord, I do not know that I have any more speeches in 1881 in Galway. This was at a meeting of the Ladies Land League. Your Lordship may remember that the Land League was suppressed by the Government in the month of October 1881; and the work of the Land League was carried on by the Ladies Land League, as I shall show your Lordship by overwhelming evidence, during the autumn of 1881—the last three months of 1881 and the early part of 1882. At a meeting of the Ladies Land League,

the Rev. Mr. Higgins, Catholic curate, spoke. He “Told the people to unite and organize among themselves, and they would soon gain their national independence. He hoped there was no one present base enough to violate the national oath; if there was, he, although a priest, would put a rope round his neck and hang him; he should be shot. He then told them to oppose the service of writs and sheriffs’ sales in every possible way. He referred to the election of guardians; they should make a selection among themselves; they wanted no rats—to shoot the rat.”

Then there is an hiatus there. I will not read any more, he said, at present of that. Now I have read to your Lordship a series of Galway speeches, and so far as I know, on the information before me, they are representative.

Sir C. Russell.

Will you read the remainder?

No place  
or date  
given



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[Continued.]

*The Attorney-General.*

I did not read it because it was not evidence. I will read it with pleasure. My Lord, I only stopped from reading the concluding paragraph because I thought it was not evidence in the same way. My friend asks me to read it, "The reporter adds that he believed that the allusion made by the speaker in connexion with the election of guardians was directed against Mr. John Geraghty, of Shanoglish."

"The Reverend Mr. Higgins was prosecuted at Gort on the 1st April 1882, on the charge of proposing to sundry persons to shoot one Geraghty, and publishing a notice to incite an unlawful assembly. He was returned for trial to Galway assizes without bail."

My Lord, I do not pretend to have exhausted the speeches in Galway at this period, although I have read a very considerable number, but I stated to your Lordship some few moments ago, that I was anxious in opening the matter not to put before your Lordship evidence of which on my instructions I had not got proof before me of the position of the speakers. I believe your Lordship will have before you several other instances of speeches at this time at Land League meetings by persons for whom the persons who are named were responsible, by being directly in connexion and association with them, and certainly Mr. Matthew Harris having repeatedly been with them. But I abstain from reading the speech, at present, in case my instructions will not justify me in reading it. Now I want to ask your Lordship just to observe what was the condition of matters in regard to Galway prior to 1880. I believe it will be proved before your Lordship that the place was quite peaceful and quiet. There was nothing more than the ordinary offences due to the existence of criminals in every county, and there was no organised agrarian crime in the years 1881 and 1882. Prior to the suppression of the Land League, there were no less than 18 agrarian murders, in a portion of 1880, a portion of 1881 and 1882; the actual dates I will give in a moment or two. It is to be observed, and I may make the observation now, and your Lordship may take it as being repeated with reference to other matters, that in all these districts the agrarian murders and agrarian outrages were immensely diminished under the Coercion Act which was passed in the year 1882.

*Sir C. Russell.*

You mean 1881?

*The Attorney-General.*

No. I beg your pardon. I am perfectly correct. My friend does not interrupt me unfairly. The Act under which persons were arrested without trial was passed in 1881, but the Coercion Act was passed in 1882, and it was after the passing of the Coercion Act, which had to do with the actual means of punishing crime, that these murders decreased, but I am correct in saying that in the period of practically two years before the passing of the Coercion Act of 1882, there were 18 agrarian murders in this county. Now, my Lord, I want to describe to your Lordship, very briefly, the character of the outrages which I have to deal with. Now, I want to call your Lordship's attention to what they did to some farmers, at a place called, I believe, Cloughanover, in the county of Galway, on the 2nd of January 1880. There had been a series of Land League meetings in the immediate neighbourhood. The landlord in that neighbourhood was a Mr. James Macdermott, and prior to these Land League meetings, it will, as I am instructed, my Lord, be proved before your Lordship that these properties were really places which might be said to be almost marvellous for the neighbourhood—perfectly good relations between the landlords and the tenants. There had been a series of Land League meetings, at which speeches of the kind were made to which I have referred, and one of the men, who was a bailiff on Mr. Macdermott's property, was a man named Joseph Dooley, and he and Thomas Lohan, and John Tannyan, two farmers, were sus-



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[Continued.]

pected of paying their rent. There had been a distinct agitation against the payment of rent to this man, who previously had lived on perfectly good terms with his tenants. Now, my Lord, I may be quite misinstructed; it is a matter your Lordship will consider when you hear the evidence, but with reference to an observation made on a speech of mine on my instructions, beyond the fact that these men were suspected of paying rent, there was nothing known against them of any sort or kind. On the 30th of January 1880, 40 men visited their houses, swore them not to pay any rent, fired a shot outside the door, and they had to have a police hut established for the purpose of protecting these men, previously there having been no necessity, the place being perfectly quiet, and there being no necessity for either any police protection or anything more than the ordinary regulations in regard to the law. Now on the 27th May 1880, very shortly after the meeting to which I referred, or about the time of the meeting to which I referred at which carding was shouted out, let me describe to your Lordship what was done with reference to a man named Raftery. Raftery, my Lords, had occupied some land belonging to a man named Lynch and in the end of 1879 Raftery took some land from which Lynch had evicted two of his tenants for non-payment of rent. On the 27th May 1880, a party of men, and on the evidence I shall put before your Lordship—I had better make the observation now—so far as we can find, without exception, the moonlighters were Land Leaguers. I do not mean to say there is no exception, but so far as we can tell by the evidence the moonlighters were members of the local Land League. A party of men went to his house, 15 or 20 of them. They burst open the door. They pulled him out of his bed and they carded him with a cord into which they had driven nails in order to tear his flesh. They then pulled his wife out of bed and knocked her about. They killed his dog and broke all the windows of his house. To protect this man a police hut with five men had to be erected, and, my Lord, as I have said, so far as my instructions enable me to put the facts before your Lordship, against this man there was nothing whatever except that he had taken some land from which a man named Lynch had evicted two of his tenants. Your Lordship observes that the tyranny did not injure Lynch except indirectly. It did not injure the landlords. It only injured in this particular instance, and in hundreds of others, a poor unfortunate man, who had done what he was perfectly justified in doing, having committed no offence against laws divine or moral. At the time they carded him they made him swear that he would give up the land which he had occupied. I remember the previous statement I made to your Lordship that we knew of no other cause on our instructions why this outrage was committed, but if it be the fact that the man had sworn to give up the land, it is quite clear that that was the motive which actuated those who were guilty of such conduct. On the 25th September 1880, Lord Mountmorris was murdered. I do not think it is necessary for me to refer to the details of Lord Mountmorris's murder. They are particularly brutal. I have only referred to it because your Lordship may remember his name was mentioned in one of the speeches which were made when a man said another landlord or land robber had been murdered or shot himself; when he came down into the neighbourhood he rejoiced to hear another land robber or landlord had shot himself.

*The President.*

What was the date of the murder?

*The Attorney-General.*

The date of the murder was the 25th September 1880. Now, on the 11th ~~December 1880~~, there had been another meeting, at which one of the men who had already made speeches, spoke, and a resolution was passed. I have not got the whole extract of the speech; it is only given me in the narrative of the outrage; but at a meeting at Tynagh, a Land League meeting, the resolution passed was, "If you meet the man who has deprived another of his



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“ means of subsistence, shun him ; if you meet him in a place of worship form  
 “ a ring round him as a man with some loathsome disease. I call upon you  
 “ to dig for such bones as that no grave, and to earth to refuse him a grave,  
 “ and the Heaven a God.” In the year 1880 two men, of the name of  
 Greeney and Robinson, surrendered a farm they had occupied for a very  
 long time, solely on account that the rent was too high. They surrendered  
 the farm themselves, because they did not wish to pay the rent. Giddings  
 then became the herd of the surrendered land, and he gave it up because the  
 people ill-treated him. In November 1880, the land being vacant, a man  
 named Cookley, who took up the farm, had to be protected. He was warned,  
 and a notice was found posted that nobody was to speak to him. He was  
 under police protection, and he gave it up in June 1881 ; and then a man  
 named Moore took it. He was at once boycotted, and had to have police  
 protection. This was the notice, or, I think, the threatening letter sent to him.  
 “ Beware of the awful doom ; ” this is to Mr. Moore, “ that awaits you and that  
 “ horror of horror that hangs over you. We hereby solemnly pledge ourselves  
 “ before God not to allow you any longer to herd a farm from which a  
 “ tenant has been evicted, so depart from the unwholesome place, you  
 “ accursed traitor, or by heavens you are on the verge of your tomb,  
 “ for the hour has come when all foes of freedom will be shot down, and  
 “ threw out as a gardener would throw out plants. If you persevere and  
 “ not adhere to this notice, I confess you shall meet with the same sad fate  
 “ and red death of Dempsey and Doherty, &c. My advice to you is to  
 “ depart within six days of the arrival of this note, or if not, neither rack,  
 “ halter, nor gibbet, coercion, buckshot, or steel, will chill my Celtic blood  
 “ from doing what is here mentioned. Exit.

“ God save Ireland.”

Moore remained as a caretaker on that farm, but had to be put under police protection ; and, as far as the information I have goes, against this man there was no complaint of any sort or kind, except the fact of somebody having thrown up the land because the rent was too high, and he had herded this land. I am taking them in order of date, but I think I may now pass from that.

Now I referred to the case of Dempsey, who succeeded Hynes. And I wish to put very briefly before your Lordships the particulars of this case, which happened at the beginning of the year 1881. This will convey to your Lordships some idea of what was the effect of the speeches which have been made, where these men's names were mentioned. I mentioned the fact of Murty Hynes being mentioned by a man of the name of Mat. Harris, on the 19th September 1888. Murty Hynes came to the Land League meeting and gave up the farms. As far as I can tell, it was in the month of October, 1880 ; that is my recollection of the date—for I have not verified it myself. About the same time, a man named Connors, or rather later—in the month of June 1881—took possession of some land belonging to Lord Dunsandle, which had been left by a man named Keogh. Connors was boycotted simply for occupying this bog land, which had been given up by Keogh, and Dempsey was threatened after Hynes had given up the farm. On the 12th May 1881 James Connors was murdered. Four men were engaged in the murder. They were not convicted, but all four of them were identified by the witnesses ; all four of them were members of the Land League. Connors, who had given evidence against these men, was boycotted, and had to receive police protection. Now, with reference to Murty Hynes, an indignation meeting was held at the end of September, at which between 600 and 700 people assembled ; and I ask your Lordships to notice this, Matt. Harris headed the procession of between 600 and 700 people, who knocked down 135 yards of his wall, and went all over his meadow, and tossed his crops about. This was Matthew Harris, now a Member of Parliament. He addressed the people, and by name denounced Murty Hynes as a landgrabber. The consequence was, as I have already told you, that Murty Hynes gave up the farm. Now, can anything be more horrible ? Till May



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[Continued.]

1881 the land lay vacant for six months, and then a poor fellow named Dempsey took it, and within one month of his taking it, he was shot dead going to mass.

Sir C. Russell.

No.

*The Attorney-General.*

My friend must pardon me: your Lordship will remember the interruption. Said my learned friend, Sir Charles Russell, "You ought to speak with care; it was the year before." What are the facts? The facts are, in October Murty Hynes gave up the farm because there had been 600 to 800 people who had gone there under the leadership of Matt. Harris, and threatened to destroy his farm; and within a month afterwards, on this poor man going to church, he is shot dead. Is anyone going to say that that was not in direct consequence of these speeches? I do not know what my friend's interruption was directed to, or what he meant to suggest, except that I should lay before your Lordships a case which, after the lapse of time, would have no connexion with the speeches—but the logic of the evidence is irresistible. You have speeches made, and within less than nine months of the first meeting, that man Dempsey is murdered. The widow of this poor man Dempsey was boycotted, and had to have police protection, I think, for some years after the poor unfortunate man was murdered.

Sir C. Russell.

What is the date?

*The Attorney-General.*

The 29th May 1881, within one month of his taking the land. Now mark, on the 24th July 1881, James Seuton, the sergeant of the Royal Irish Constabulary, was murdered at Loughreagh, County Galway. I am confining myself entirely to Galway outrages, and to outrages of the most serious description. On the 24th July 1881 Seuton, sergeant of the Royal Irish Constabulary, was murdered. He had been at Loughreagh for 20 years, and had been perfectly well known, and on good terms with the people. He had been a man who had been most liberal in his subscriptions to charitable institutions; was very popular with the poor, and an unmarried man; and all that he had done was to have taken notes at the Land League meetings at which, I think, he was present, and gave evidence in December 1880 with regard to the Rivers Ville meeting, that being the one at which Murty Hynes was denounced by Matt. Harris. At 10 o'clock at night, on the 22nd July, as he was returning to his barracks, he was shot dead. Somebody endeavoured to pursue the murderer, but, though there were a good many people about, no steps were taken to stop him, and the man got off among the crowd, and no one was ever brought to justice. My Lord, my learned friends may say that I am colouring the picture I have attempted to paint, and that the outline is exaggerated and false; but I think you will have great difficulty in supposing that there is any other cause for this condition of things springing up in this county, or for these crimes connected with the land. That if not in every instance, certainly in a great majority of instances, there was no other cause, except opposing the Land League, or taking land which somebody had vacated, or offending against the decrees of the Land League, or giving evidence against somebody who was opposing the decrees of the Land League. And it is well worthy of note, as I said in the beginning of my observations this morning, that these outrages occurred in the middle of 1880, in May 1880, in the end of 1880 and the beginning of 1881; we find these violent speeches continued right through 1880 and 1881, and as far as I know on the information before me, no single step is taken to denounce the crimes, or those guilty of any of these outrages. If this conduct was not that which Mr. Matt. Harris desired, or was instructed to preach, if the denouncing the land-grabber was not



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[Continued.]

intended to lead to the conclusions I have been describing, I may fairly ask you why did not Mr. Harris go down to this place and say, "I will have no more to with you so long as these disgraceful outrages upon persons otherwise innocent are taking place. You will find the expression at the end of the speeches—'thig-um-thue, do you twig'? when they desire to indicate, rather than speak openly, of the course of the conduct; but there is not one single instance at this time in this county were these horrible things were done there, not one single instance of a leading Parliamentary or Land Leaguer taking steps to put a stop to these awful outrages; and if it be true, the Land League prevented these outrages, what were they doing in 1881 and 1882, and where are the steps which were taken, and where is the evidence of any single outrage being stopped, or even hindered by the action of the Land League?

Now, my Lord, I come to the 26th August 1881. Mr. George Robinson was a land agent and justice of the peace at Rolleston. He acted for Mr. Richard Berridge, and for Mrs. Blake. So far as I know—though it is a matter from a point of view I am not pressing on your Lordships as of great importance,—I am not aware that any suggestion is made that these people, being landlords, were oppressive, or guilty of any particular conduct which could give rise to irritation. On the 3rd of April 1881,—I have read the speech, your Lordship will remember it,—Matt. Harris said he "wanted no one to shoot Robinson; there were other ways of dealing with him." When this man, Robinson, comes amongst them, "every man, woman, and child should follow and howl after him. They should resist eviction off the land; they should resist legally, in a legal and constitutional way." Does anybody say Matt. Harris meant that as an expression of a wish that Robinson should have no harm done to him? Or that a man would refer to a desire to put down outrage in this way: "Let no one say he had a desire to shoot Robinson; there are other ways of dealing with him." I also remind your Lordships that on the 7th of April 1881, referring to the same man, he had said, "the people of Connemara ought to treat Robinson as vermin." Now, on the 21st August 1881 there were extra police in the district, and prior to this date, on the 26th August 1881, Robinson went off to collect rents with two constables. He was fired at. Eight or ten shots were fired at him. Fortunately, none of them hit him. The police fired back, and there is every reason to believe that some one of the assailants was wounded, and I am not sure, my Lord, that I shall not be able to give you some evidence under another head with reference to the injuries on that occasion. I am not quite sure whether that is the occasion or not directly connecting those who committed the outrages with the Land League and with the head executive in Dublin. I can do so on several occasions. I am not sure at present; therefore, I will not speak from recollection, whether this is one or not. But I am justified in asking your Lordship to consider what is the condition of the place, Robinson having been described as "vermin," and it having been said at some of the meetings, "I do not wish you to shoot Robinson." The result is that he is shot at, though fortunately not injured; and does no one suggest that the Land League and Matt. Harris, who is the speaker, and one of the persons incriminated, is not directly responsible for these outrages? I do not know where the responsibility begins if it does not begin at such conduct as, I believe, if proved before your Lordships, will be brought home to Mr. Matthew Harris. And I wish to remind you again, at the risk of wearying you, I shall prove that he was receiving money from Egan, the treasurer of the Land League, at this very time; he was applying for money and receiving it; and if so, what is the connexion between Mr. Harris and Egan, the treasurer of the Land League? If Egan is head of an innocent organisation, I do not understand it at present. Of course I will not anticipate what is going to be said, but I think your Lordships will be of opinion, if I establish these facts, that "The Times" were justified in saying that the Land League depended upon a system of intimidation, for which the sanction was the murder which was not to be discovered. If that was not language



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[Continued.]

of exaggeration, it was the language of truth. However, I am at the present moment endeavouring to bring this before your minds ; perhaps I ought not to comment upon it at too great length. On the 2nd November 1881, my Lord, Peter Doherty was murdered at Corrigan. He was a young farmer, and, as far as can be traced, all that was known against him was that he had taken some land other people had given up. I am not sure that I can refer at the present moment to any actual speech in which Doherty was referred to by name. Though, of course, there was a reference to "land grabbers." But I think the inference may fairly be drawn from the facts I have referred to.

Now, then, I come to the 15th November 1881. A Mr. Blaquaire resided at Fiddane, Tubber Gort. In the year 1881 he was a land proprietor, and from the beginning of the Land League agitation he spoke against it, and pointed out openly and boldly the tyranny it imposed upon the people ; and he made himself obnoxious to the persons by having spoken with fearlessness and courage against the action of the Land League. Soon after the arrest of Mr. Parnell, a motion was introduced to the board of guardians condemning the Government for arresting Mr. Parnell ; whereupon Mr. Blaquaire refused to receive this motion ; and on the 15th November, that motion having been submitted to the Gort Board of Guardians on the 12th, two shots were fired through his hall door. One as nearly as possible killed his wife. The door was open, and he saw two men standing within about 50 yards of his house. A notice was then served upon him, to which I call your Lordships' attention. "That Henry Blaquaire is boycotted from this day forward, for his treacherous conduct at the Gort Union in opposing a resolution condemnatory of the Government in arresting our leader Parnell ; secondly in appearing at the head of the British soldiers and peelers at Loughcontre to prevent a Land League hunt, when he defiantly expressed himself if the people did not disperse before five minutes he would have them shot down like dogs. Boycott him ! Boycott him !" Clayton, a man in his employ, was threatened with bullets if he remained in his employ. Now, my Lord, I desire to call attention to an outrage upon Thomas Connaire and Martin Murphy, tenants of Lady Burke, who paid their rents in November 1881. Your Lordships will not have forgotten that I referred to the speech, amongst others, of Mr. Dillon, in which he said that persons who paid when the others did not were to be treated as traitors. On the 26th November, that is within a few days after having paid their rent, Connaire's house was set on fire, and a shot was fired through his window. The same night Murphy, the other man who had paid rent, his house was set on fire, and shot was fired through his window, and the whole of his furniture was consumed through the fire.

On the 4th of December 1881, this notice was posted : "Irish Land League. £100 Reward offered to anyone giving information of any person or persons who will pay rent." Now that was, I believe, on the chapel door. I do not know whether it will be suggested that any counter effort was made by the Irish National League to avoid the effect of such notice being circulated. At any rate I shall ask your Lordship to come to the conclusion that those facts will prove that that was in accordance with the scheme of tyranny that was being organised throughout the country by the Land League.

*Sir Charles Russell.*

This was after the suppression.

*The Attorney-General.*

I beg your pardon. My learned friend says it was after the suppression. Does my learned friend mean to suggest that this Land League can be suppressed in a moment ? I think I can understand my learned friend Sir Charles Russell being anxious to introduce anything which can to any degree



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[Continued.]

militate from the force of what I am saying. I do ask your Lordships to say whether the fact that the Land League, which was ordered to be suppressed in October 1881—the boast of the Land Leaguers being that it was not suppressed—the boast of the Land Leaguers being that it could not be suppressed, whether it takes much away from the sting of what I was saying, to say this was after the Land League had been suppressed? Has he forgotten who was in Paris at this time—Egan. I think it is fair to say that at a particular time Sir Charles's client was in Kilmainham,—but I am not talking, and he knows perfectly well I am not talking of one particular individual, I am talking of all those individuals who were mixed up in this organisation. This is no place of shielding one at the expense and instance of another. We are making an inquiry as to the truth of these charges and allegations; and I ask your Lordship particularly to notice that in the first three articles in “Parnellism and Crime” it is against all these people that charges are made. I might, perhaps, retort upon my learned friend that he has forgotten that the Ladies Land League was in active operation, which we allege distinctly to have been a similar organisation, and I shall further, probably, be able to lay the evidence before your Lordships that the Ladies Land League had the use of the Land League money, and that it was the Land League funds that the Ladies Land League used. I have not heard suggested that the Ladies Land League was more moderate during the time of the supposed suppression of the Land League than the Land League itself. However, my learned friend, Sir Charles Russell, as he has thought fit to correct me, is correct in saying it was after the suppression, or an attempt to suppress, the Land League in 1881. I have read to your Lordship the notice which was issued by the Land League offering one hundred pounds reward for anyone giving information of any person or persons who paid rent. That is on the 4th of December 1881. That was on the chapel gate.

Sir C. Russell.

Where?

*The Attorney-General.*

At Ballymycally. In the next week this is the step taken to put an end to the effect of such notice. This is on the chapel gate, “My brother Leaguers, I am going to warn you a second time, owing to the ignorance of the person that took down the notice before the public could get to read it. Let no man be so innocent as to think that if he has paid his rent he won't be shot. Undoubtedly he will, if he had all the police in Ballymycally, if he violate the rules of the League by paying rent, or taking a farm from a tenant who was boycotted, or working for a boycotted man. Yours truly, Captain Moonlight.” On the 15th December a further notice to the tenant farmers of the Woodford district was issued, by which the tenant farmers are called upon to show their independence. “On Thursday when the agent will come to look for rents let you all go in like one man, and if he does give you a sweeping reduction keep the money, but let the man as goes in by himself, let him mark the consequence.—Captain Moonlight.” I have already stated to your Lordships, on the evidence before me, that the moonlighters were Land Leaguers, and that a piece of evidence (if it be true) at any rate goes to show that the Land Leaguers, whose names have been taken, if not responsible for the moonlighters, at all events took no steps whatever to destroy the effect of their notice. Their names had been used on the 4th December, offering as a reward 100*l*. It is used again on the 11th, and the consequence being, again I say, that the two men about a fortnight before had had their houses burnt because they had paid rent. My Lords, I hope you will not think I am laying too much stress upon such incidents as that. Now on the 3rd January 1882 occurred a murder, the circumstances of which are perfectly well-known, the murder of the Haddens, the bailiffs of Lord Ardilaun. Their bodies were hidden a long time before the murder was known; the bodies were not found for a long time before the



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murder was detected, and even then there was the greatest difficulty. They were found sunk in 27 feet of water; and although it was pretty clear on the intimation then in the paper, and from the information of the police, which will probably be proved before you, there were a number of persons, some persons at any rate, who could have detected the criminals, nobody was ever brought to justice for that. I wish to correct myself. It was not till the end of 1882, October 1882, that the persons were detected who had been guilty of the crime of the murder of the Haddens. Your Lordships may remember that I detailed to you the murder of Constable Seuton, who had been 20 years in the same place, and by whom, as far as one can tell, no offence of any kind had been committed, and against whom nothing had been proved, except that he had taken notes of the land leaguers' meetings. Constable Kavanagh investigated the circumstances of Seuton's murder; and on the 15th February 1882, Constable Kavanagh, who had investigated that murder, was shot at his own barrack gate. I do not know whether he was killed or not. I think that he was, but I am not perfectly certain. I do not pretend to carry in my head the whole of the circumstances, but I believe, as a matter of fact, he was shot dead. I have passed, my Lords, the case of Botherill and his daughters, who were fired at on the 19th January 1882, that is a month before that, and, so far as we can tell, on the information before us, the only thing that Botherill had done was, that he had served process upon his tenants for non-payment of rent. He served process at the end of December 1880. I am not sure whether he had been referred to by name, but there had been meetings referring to steps taken by the landlords, and on the 19th December 1882 he and his sons were fired at as they were driving home. There are two more murders, one on the 8th May and the other on the 29th June. My recollection is, that on the 8th May, Walter Bourke's was the murder of a landlord. My recollection is, that Walter Bourke was protected by a sergeant of police, and he was shot at while the sergeant of police was with him, and I think the soldier also; both Mr. Bourke and the soldier who was guarding him were shot on the 8th June 1882. That murder, my Lords, took place in broad daylight, and except some suggestion that he was a landlord, I am not aware that it is suggested, or will be suggested, that he had done anything which could cause the attack to be made upon him, certainly nothing which could justify such a brutal and horrible murder. Now on the 29th June, my Lords, is the murder of Mr. Blake. I do not know whether your Lordships remember that I referred to his name in the course of reading the speech of Griffin and also the speech of Mr. Harris. It is one of the two short speeches to which I have referred in the course of this evidence as having been delivered in Galway. In one or more of them Mr. Blake's name was mentioned. He was agent to Lord Clanricarde, and fortunately was very popular in the district, and, so far as his position was concerned, was on good terms with all the persons there prior to the meetings of the Land League. I have mentioned to your Lordships the various meetings which took place during the year 1881, in the county of Galway, in the immediate district in which Mr. Blake is the agent. On the 29th June 1882, Mr. Blake and his wife were driving to Loughreagh. They were fired at from behind a stone wall. Mr. Blake and his servant, Moses Reay, were both shot, having received a bullet, each of them, in their head. Mrs. Blake was wounded in the right hip, and the horse that was drawing them was shot. There were at the time a very large number of people about, and it was a murder that took place in broad daylight. And, my Lords, one cannot help saying, whatever may be the views of people as to how such an agitation may be conducted, this seems to point to a state of things which would show that these meetings were to have a certain effect, and that these speeches which were delivered were meant to have a certain effect, and they had it. My Lords, there are later charges in Galway after the year 1881 and 1882; outrages which took place after the Coercion Act had dropped and before the recent Coercion Act—I mean outrages in the years 1885 and 1886. As to one of these, Finlay, I may have to give to your



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Lordships some details; because as your Lordships may possibly know, if not, I shall prove before you, there was the most direct connexion between the murder of Finlay and the denouncing of him at the previous meeting with reference to having served some notices, or taken some part in the execution of legal process. But I propose not to refer to the year 1885 at present, because I particularly desire to call your Lordships' attention to what had been done throughout the years 1880, 1881, and 1882, practically speaking, at the time when the organisation which had been started before Mr. Parnell was in prison, and which had had its run, so to speak, for a period of two years; and before the time when it can be suggested persons might have been acting, who would have been controlled by some of those who were leaders of the Parnellite party, and who, after the month of October, were for a time imprisoned.

Now, my Lords, I have passed over a good many of the outrages in Galway, which I had noticed as being matter of which evidence could be given. Your Lordships must not understand I am pretending to give you the details of every case. At the same time I have given you sufficient probability, and have shown the connexion by name, the connexion by circumstance, the connexion by cause, to lead you to form an opinion, if it be not contradicted, that there was in Galway the most direct attempt by those whose names are included in the particulars, by their paid agents, by the Land League, by its paid agents, for whom, practically speaking, all the leading members whose names are mentioned in the particulars, are responsible to initiate and carry out a horrible and infamous system of tyranny, whereby no tenant was to be allowed to remain in possession of vacated land, or of vacant land whereby the landlord was to get no advantage out of such land, and if any tenant was found rash enough, courageous enough, or foolhardy enough to disobey the orders of the Land League, the consequences were such as I have described to you. That simply taking notes of what passed at Land League meetings, or giving evidence in respect of outrages was sufficient to bring down upon the individual who had been guilty of such conduct as offended the Land League vengeance of the character I have described. Your Lordships must not think either that because these numbers of people suffered, there were no others, because I know it will be proved before you, by those who had personal experience in the maintaining of order in these counties, that, as I said a short time ago "Organisation of the Land League," meant the submission of everybody to the Land Leaguers' behests. And that is probably the fact, that when a sufficient number of people have been murdered, and when a sufficient number of houses have been burned down, when a sufficient number of cattle have been injured, or crops been destroyed, the number of people who can either afford to, or have the courage to incur these risks will be very small. Instances will be given of people who have fought and have maintained the fight against the Land League, and have been the subject of repeated and continuous denunciation by those speakers, simply because they did so. Therefore it must not be supposed that, because I have brought before your Lordships this very large number of horrible outrages in this district, that that by any means is the sole measure or indication of what the power of the organization of the Land League in that district was.

The Commission then adjourned until half-past ten to-morrow morning.



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“*Uncorrected Proof.*”

SPECIAL COMMISSION ACT, 1888.

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ROYAL COURTS OF JUSTICE,  
PROBATE COURT, No. 1,  
Tuesday, 23rd October 1888.

*The Attorney-General.*

My Lords, with regard to the application my learned friend Sir Charles Russell made as to some further documents, I must ask you that it should not be taken this morning, as I am obliged to make some affidavits in answer that could not possibly be made between the time of the rising of the Court yesterday and this morning. I have mentioned it to my learned friend, and he has not the least objection to postpone the application. Then, with regard to our particulars, I am quite indifferent whether that is to be heard now.

*Sir C. Russell.*

If one is to be postponed the other must be postponed also; but, my Lords, I do submit that as the affidavit was handed to them at 12 o'clock yesterday, there seems to be no reason why it should not have been answered by this time. It is a matter of very considerable moment with respect to the alleged forged letters.

*The Attorney-General.*

As a matter of fact, I am told that the affidavit was only handed in in the course of yesterday afternoon to my client, who was sitting in Court and had to attend to me the whole day, and therefore it was not possible for anything to be done then.

*Sir C. Russell.*

I am informed that it was handed to you before 12 o'clock?

*The President.*

Let it stand over until to-morrow morning.

*Mr. Lockwood.*

Will your Lordships allow me to correct a wrong impression that my words may have made as to the gentlemen whom I represent? Yesterday, after my learned friend Mr. Reid said for whom he appeared, I said generally I appear for the other members of Parliament. There is an exception to that. I do not appear for Mr. Biggar. Mr. Biggar appears for himself.

*Mr. Biggar.*

My Lords, I beg to ask the representative of “The Times” to give me the copies of the speeches to which his observations refer or which I am supposed to have made. It would be a very great advantage to me, and I do not suppose the Attorney-General would make any objection.

*The President.*

Whatever is done in favour of Sir Charles Russell's client shall be done in your favour also, Mr. Biggar.

*The Attorney-General.*

I think the better course would be that, as Mr. Biggar is appearing for himself, just as I have previously handed the copies to Sir Charles Russell—



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[Continued.]

of course I need not do it to everybody—when I am referring to a speech of Mr. Biggar's that shall be passed on to him. They shall all be put in in the printed note which they all have a copy of. I will say generally that what I have done with Sir Charles Russell shall be in Mr. Biggar's case also.

*Sir C. Russell.*

My Lords, there is one observation I have to make. I do not know who is accountable for it, but my learned friend the Attorney-General handed to me yesterday copies of the speeches he was reading; they certainly do not appear in the shorthand notes, as they handed the document to me, and the omissions I conceive to be very important. They are not matters my learned friend read, and they are not therefore upon the notes, but they are upon the documents themselves, stating by whom those notes were taken,—saying that they were taken in longhand in many instances, and in all instances by police constables at the instance of the Government. Therefore it seems to me very important that that should be put in, that they were Government reports. As these are Government reports, furnished no doubt to my learned friends, it is only reasonable we should have a copy of the entire number of these reports in order, if truth be the object of this inquiry, we may have the opportunity of seeing what the whole of the speeches were which were delivered.

*The President* was about to make an observation.

*The Attorney-General.*

May I deal with the matter at once before your Lordship makes any observation?

*The President.*

I was only going to make this observation: that we will deal with that to-morrow morning, because it appears to be a part of the same application.

*The Attorney-General.*

With regard to the printing of the matter, that is the way in which it appears in print. It is the same document which was handed in, and it was handed to Sir Charles Russell; but probably in the very short time between 4 o'clock yesterday and this morning it has not been possible to see whether the document is correctly set forth. I think it only right to say with regard to the other matter, that he is entirely misinformed when he states that they are Government reports. They are speeches (as you will find they are in many other instances) which have been taken by themselves, and they have been obtained by the solicitors for "The Times," who have found out the witnesses in the ordinary way, and obtained the notes.

*Sir C. Russell.*

My friend has misapprehended me. My friend's statement was this—that they were taken by the police constables on the instruction of the Government, and therefore they must be Government reports.

*The Attorney-General.*

My learned friend is in error about that.

*The President.*

There is only one thing. Do you object to these, what I may call for convenience, the marginal notes?

*The Attorney-General.*

Not the slightest. That, at any rate, will be set right.



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[Continued.]

*The President.*

Whatever document is handed in by the Attorney-General will be printed in its entirety.

*The Attorney-General.*

If it is printed in its entirety I shall have no objection. I am only too glad that they should appear in that way. I was anxious before I went to another county to read a document. I will read it when I have concluded with reference to the county I am now dealing with. It was the No-Rent Manifesto, which was issued purporting to be from Kilmainham on the 18th October 1881, signed by Parnell, Kettle, Davitt, Brennan, Dillon, Sexton, and Patrick Egan. Mr. Davitt's signature was not affixed to it by Mr. Davitt; Mr. Davitt was at the time confined in Portland. As far as the evidence I am able to lay before your Lordships, the signature of Mr. Davitt was put by someone of those persons who were in Kilmainham. Whether or not Mr. Davitt was responsible for it, or authorised it in any way, is a matter which will not be without importance for consideration in the course of some later instances I have to refer to. I was anxious to have read the actual terms of that No-Rent Manifesto to your Lordships, but I cannot put my hand upon the copy in the mass of papers—I may have left it downstairs—in order that I might say this, that the policy of preventing the payment of rents—the policy of punishing tenants who did pay rents—which was continued undoubtedly during the time Mr. Parnell was in prison at Kilmainham, that is to say, from October 1881 to the month of May 1882, with a small interval, when he happened to be out for a few days, was with the approval, as far as we can tell, of those who at the time were undoubtedly not so much in control of matters as they had been previously, and as they were afterwards. And, my Lord, in reference to this indictment which I am now preferring against a number of gentlemen—not Mr. Parnell alone—but against a large number of gentlemen whose names are given—Mr. Biggar, Mr. Harrington, Mr. Matthew Harris, and a number of others—I shall show your Lordships, as I said yesterday, when I am dealing with some of those counties, some of which I must bring before your Lordship's attention, that long after the time that these gentlemen had been in Kilmainham, and long after the time when the effect of these speeches was brought prominently to their minds, the same kind of speeches were made, the same conduct was repeated, and the same results followed. Yesterday, in dealing with Galway, I had, for the purpose of the particular method which I had followed in the telling of my story, I had stopped at the year 1882. In dealing with the subsequent counties, without going back to Galway, I shall show to your Lordships what was the course of conduct pursued, and what was the consequence of that conduct pursued, before and after the year 1882, as well as the earlier period. Now, my Lords, I propose to direct your Lordships' attention to the county Kerry, and I propose to pursue the same course which I adopted yesterday, and that is to read the first speeches—the series of speeches—that were made, of which we have notes. There were many others that were made, of which we have not got the full note of the speeches; but we have references in some particular instances to particular speeches that were made, and I shall be able in some of those cases also to give your Lordships evidence of what was stated. The first speech to which I will call your attention is a speech made at Beaufort on the 16th May 1880. It was made by Mr. Parnell, and your Lordships will find that in many of these counties Mr. Parnell made an opening speech, if I may so call it, which began the campaign, which began the initiation of the Land League and its work, and it was followed by speakers, many of them in the pay of, and directly paid by the, central association or organisation in Dublin and others who are now persons charged, who are now members of Parliament, and who have been, as I shall show your Lordships, or rather as I shall suggest to your Lordships, persons having no connexion with the land, no connexion with public life before, and who have been rewarded for that part which they have taken by being nominated by Mr.



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[Continued.]

Parnell and his party to represent certain constituencies in Ireland. Your Lordships will be able to appreciate later on what was the working and the effect of this organisation, the early life of which we have been describing.

Now this was on the 16th May 1880. This is the report of the speech at Beaufort.

[The document was put in and read as follows]:—

“COUNTY KERRY.

“BEAUFORT.

“16.5.80.

“Speaker: C. S. PARNELL, M.P.

“I know as a matter of fact  
 “that of the 600,000 tenant  
 “farmers in Ireland fully 400,000  
 “are unable to pay the rents.  
 “(Cheers.) Ejectments for non-pay-  
 “ment of rent have been scattered  
 “broadcast over the country, and  
 “in a short time the landlords  
 “will ask the courts of law to  
 “enforce those ejectments. This will  
 “be a serious situation. Can it  
 “be expected this time in the  
 “19th century our people will  
 “allow themselves to be driven  
 “from their farms as in 1848?  
 “I think that day is gone by,  
 “that a spirit of determination  
 “is taking fast hold of our  
 “people, and that they will  
 “no longer permit themselves—  
 “(cheers)—to be exterminated either  
 “with or without the law. If  
 “the Legislature refuses to step  
 “in, this agitation will have  
 “to go on—(cheers),—it will  
 “increase tenfold in intensity,  
 “and the people will do for  
 “themselves that which the  
 “Legislature refuses to do. (Cheers.)  
 “We will see that the people  
 “will not be swept from the  
 “country, while there is money  
 “to defend them in the courts  
 “of law. The National Land  
 “League has plenty of money  
 “at its disposal for the  
 “purpose of defending the  
 “tenantry of Ireland. The  
 “day is dawning when we  
 “shall have taken the first  
 “steps to strike down  
 “British misrule, and the  
 “noble dreams of Grattan,  
 “Emmett, and Lord O’Fitzgerald  
 “and of every Irish patriot,  
 “ought at all times to be  
 “brought to a triumph and  
 “realization. (Cheers.)”

Witness.

Constable  
 Keaveney,  
 Reporter.

Now, on the 10th October the same year—



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[Continued.]

*Sir Charles Russell.*

I do not know whether your Lordships will allow me to say there is a full report of that speech in the "Freeman's Journal."

*The Attorney-General.*

My learned friend states there is a full report of this speech in the "Freeman's Journal." I shall have to show your Lordships that this speech, and many others of a much more violent character, were reported in the papers which were circulated in Ireland and circulated by the National League in "United Ireland," the "Freeman's Journal," and other such papers. But what is much more important—and by my learned friend's interruption I am led to touch a part of the case which I otherwise should not—and to say the fact that these outrages were taking place, were referred to in the columns of "United Ireland," edited by William Byrne, as incidents in the campaign: the murder of men, the wounding of men, injuries to women, burning of houses, were spoken of in the columns of that press as being incidents in the warfare between the National League and the landlords. And why I mention that is this, that I am going to show that the consequence of those speeches was day by day to be brought home by that very fact of their publication, as well as by other sources to which I am going to refer, to the knowledge of the gentlemen who were by this time going on making these speeches and providing all this organisation.

*Sir C. Russell.*

I did not mean to put my learned friend out; all I meant was to call attention to the fact that this purports to be a report probably in longhand by the constable, and contains only two or three sentences; probably the longer report is the accurate one.

*The Attorney-General.*

If I am inaccurate, my learned friend will be able to make his observations.

*The President.*

It was some observations made *sotto voce* which I did not hear; but I think it will be better to confine yourselves to those observations made by Sir C. Russell or anyone else which are addressed to the Court.

*The Attorney-General.*

If I may say so, I entirely concur with that view, my Lord, but it is scarcely possible when an observation is made to avoid reference to it under the circumstances.

*The President.*

I wish to keep things orderly, and I remind you of what is orderly.

*The Attorney-General.*

Now my Lords, on the 10th October at Castleisland, Mr. Arthur O'Connor and Mr. Biggar spoke. Now will you give sheet 180 to Mr. Biggar. Sir Charles Russell need not have the copy—it is as to Mr. Biggar. Mr. Arthur O'Connor says—(the document was put in and read, and is as follows):—

He "deprecated the commission of acts of	Witness.
" violence because their enemies made use of such	—
" acts, and public opinion in England is affected by	Mr. Hugh Noble
" them. He knew the feelings that were entertained	Professional
" towards the landlords of Kerry, and he believed them	Reporter.
" to be perfectly natural. He sympathised with those feelings, and	
" he could well understand—though he would not attempt to	
" justify—the extreme act of any man who might in the moment	



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[Continued.]

“ of irritation, be prepared to do that which St. Patrick and his  
 “ followers would in their duty be compelled to denounce. I tell  
 “ you that the man who would shoot Samuel Hussey would do a  
 “ grievous harm to the cause of the tenant. On the subject of  
 “ rent, he told them to provide first for their own maintenance,  
 “ then to pay their shop debts, and when that was done, they might  
 “ think of the landlord. They should keep a firm grip of their  
 “ holdings, and if evicted, remain in the locality watching the first  
 “ opportunity to regain possession. They should be no party to the  
 “ grabbing of farms.”

Then Mr. Biggar said :—

“ They should take care that none of their	Witness.
“ neighbours give more than the valuation in the	—
“ shape of rent. They can take care that if anyone	Mr. Hugh Noble,
“ is base enough to take an evicted farm, that the	Professional
“ public opinion of the district is brought to bear	Reporter.
“ against him, and that he be forced, not by physical means, to do	
“ what he ought to do in regard to a matter of that kind. If any	
“ one is charged with shooting or offering violence to the landlord	
“ or his agent, it is the duty of the Land League to see that that	
“ person shall get a fair trial. What is the good of a man shooting	
“ a landlord. You, the members of the Local Land League, can	
“ use your exertions to get everything in favor of the person who	
“ is charged with such a crime as shooting a landlord. Speaking	
“ of Mr. Blennerhassett he said he has thrown in his lot so far as I	
“ know with the Whiggish members of the Irish Party, who are our	
“ most deadly and dangerous enemies. Speaking of Sir Rowland	
“ Blennerhassett, he said I believe when Mr. Hussey's son wanted a	
“ grand jury, Sir Roland Blennerhassett took the trouble to come	
“ over here to keep this tyrannical agent's son in as High Sheriff	
“ for this country.”	

Now at Brosna, on the 24th October, Mr. T. Harrington spoke. He is now a Member of Parliament.

The document was put in and read, and is as follows :—

Mr. HARRINGTON, Brosna.

“ Proposed a resolution pledging the people	Witness.
“ never to take an evicted farm or to hold inter-	—
“ course with such persons. Said they should put	Constable
“ their opposition to that person into definite form.	B. O'Malley.
“ In one part of the country a man named John W. O'Connor, who	
“ had taken an evicted farm and endeavoured to dare public	
“ opinion for three or four months, but the jeers and scorn with	
“ which he was met obliged him to surrender it to the landlord.”	

Now, my Lords, that John O'Connor's case is a case I have mentioned to your Lordships in connexion with the outrages, but I wished to mention it in connexion with this speech. It was a case in which his crop of flax had been thrown into the river. He had been boycotted, and his house had been maliciously set on fire, and then he had surrendered his land, which was undoubtedly an instance in which the steps taken by those who were opposed to this poor man gaining his livelihood, or holding his land, had been sufficient to make him surrender his farm, as he had not either the means or courage, or did not dare to resist the opposition of the Land League. Those acts and the consequences were such, that it obliged him to surrender his land to the landlord. That is Mr. Harrington's definition of the conduct which was used towards the man O'Connor.

Now I will ask your Lordship's attention to the speech of the 27th February 1881 at Balladuff.

One of my friends ask that I would state where the man O'Connor lived. I will do so when I come to the outrage itself. I do not quite remember it,



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[Continued.]

but I think I can give you the actual part of the county, when I come to refer to the particular case. If your Lordships will pardon me, I will try and find it at once. It was at Balladuff, county Kerry, at the very place the next speech I think was made I was about to read. I do not know whether there are two places, but this place is spelt Barraduff. It is the 27th February 1881, and the speaker was Mr. M. Boyton, the Land League organiser for Leinster; and I shall prove before your Lordships, next to Mr. Parnell, as being one of the principal organisers in Leinster; and when at a later date, a date many months after the time I am now upon, it was considered desirable by Mr. Parnell to express willingness to suppress outrages. Boyton is one of the men referred to as the men whom Mr. Parnell would use to suppress outrages. But what is more important for my purpose, he was the paid organiser of the Land League, and a man who made speeches for them all over the country. On the same platform was Mr. T. Harrington and Father O'Leary, county curate. This was a Land League meeting at Barraduff, and this was Mr. Boyton's speech.

The document was put in and read, and is as follows:—

<p>“The time for speeches has almost passed; I believe that the land-grabbers are dead in Kerry, if not it is high time for you to look after them. The day must cease in Ireland when rent will be paid, From this it will be our duty to go on as you are doing and put an end to the land-grabbers in your midst. You are entitled to fix what is a fair rent, and if that be refused, keep the land and the rent too. There is such a thing as land-grabbing, you know what to do with the land-grabbers before now; shun them like a man in the small-pox.”</p>	<p>Witness. F. Maguire and Constable T. Stormont. Longhand notes.</p>
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Your Lordships will learn presently from whom the advice “shun land-grabbers” came originally. I do respectfully submit to your Lordships' judicial minds that even if that speech had been simply delivered with no previous knowledge of what would be the consequence of such speeches, that it would be interpreted by those who heard that speech as being a direct instruction to them to get rid of the land-grabbers from amongst them, the land-grabber being a man who has done nothing wrong except taking a piece of land, and I ask your Lordships what would be your judgment upon the conduct of men who go on making such speeches as that when it was day by day shown that the result of the speeches was that people were being treated in the way I described yesterday when I was dealing with Galway, and when after these speeches some kind of outrage was again repeated? I say it is impossible to exaggerate the wickedness of such speeches, and I also say, which perhaps is more important for me at present, that without this tyranny, without this intimidation, the Land League was powerless, and the organization, of which Mr. Parnell was the representative, the head, the president, and these other men who were associated with him as being members of the Land League, who have been rewarded as being members of the Land League, could not have exercised that intimidation over their countrymen that they did, and it is no exaggeration to say that it is the intimidation that lies behind the organization which gave the Land League its facilities. If it stopped short of that, then some of these poor men would have had the courage and hardihood to set them at defiance, but their lives were dear to them, and there is not one in a hundred who would dare run the risk. That was on the 22nd February; on the 4th March 1881 at Killorglin, also in the county of Kerry, Mr. P. Boyton and Mr. Harrington again spoke, and Mr. Boyton said this.

The document was put in and read as follows:—

<p>“If they (the landlords) did not stop their devilish work of drawing the youth out of Ireland, a day would come when there would be an end to the Lansdownes, the Kenmares, the McGillicuddys, the Trenches.”</p>	<p>Witness. Constable F. Meehan and Constable Francis Hutchinson (stationed at the time at Killorglin).</p>
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[Continued.]

Of course your Lordships will recognise the names ; I think the " Trenches " are simply land agents in Ireland.

" We know there is neither honesty, justice, or honour in any English Government situation, so long as Ireland is concerned. The moral coward, Mr. Gladstone, from five millions of Irishmen he takes away the right to know why they are put into a prison cell. We have seen plenty of them (landlords and agents) that deserve to be shot at any man's hands. I have always denounced the commission of outrages by night, but meet him in the broad daylight, and if you must blow his brains out, blow it out in the daytime."

My Lords, there has been outrage after outrage in broad daylight. I do not merely want to mention names, but I will show your Lordships (and I did so yesterday in several instances) that these directions, invitations, incitements by these men actually produced the effect ; and just imagine what was the condition of matters that sprung up in consequence of this agitation ; to a great extent that was unknown prior to the year 1880. There is no doubt there have been periods in connexion with Fenianism when similar offences were committed, but so far as the contemporary history is concerned, this system of outrage and intimidation, beginning with boycotting, and culminating in these outrages, received not only a fresh start, but a completely fresh mode of existence in connexion with the Land League. As the Land League was powerful, the outrages are to be found ; as the Land League was wholly or partly suppressed, the outrages were diminished, and again, when the Land League became powerless, the same consequences followed.

" It will be your duty to punish those people for any misuse of their power ; do not be afraid of the Government or the police, but teach that man (the land-grabber) to be afraid of you. Any policeman that enters your house between sunset to-night and sunrise to-morrow, you can kill him if you choose."

That was of course with reference to some suggestion, that a man could not enter at night-time.

" If they come at night, and you have an old musket or an old pistol, and your wife or daughter is frightened, you can blow out his brains. Teach your children to grow up in the love of God and hatred of the English misgovernment and oppression. If we saw a fair prospect for something better, we would not be afraid to sacrifice our liberty first, and afterwards our lives in its attainment."

Mr. Timothy Harrington, who was then the editor of the " Kerry Sentinel," a paper which will be referred to in the course of these proceedings, said :—

" The present agitation is something more than a struggle against landlordism ; it is a struggle for the independence of the Irish nation."

Your Lordships will not have forgotten what I referred to yesterday, as being the way in which the various different strands which bound these men together, were always brought in as working for one object.

" The man who steals into the back door of the agent's office to pay his rent, that man is a double-dyed traitor. It is your duty to cut off all communication with the man who takes a farm from which another has been evicted. We intend to make them, the farmers, independent men, and when any foreign despots come to crush them, their spirit will be up to resent them."

I will endeavour, my Lords, as far as I possibly can in reading the speeches, not to make my observations until afterwards, because it will save time and reference in reading some of these proceedings, and possibly save repetition ; but one cannot possibly help noticing that speech made by Mr. Boyton in March 1881 at Killorglin, the names being referred to, as a speech which if



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[Continued.]

the people imagined they were suffering from wrong, which would not only influence them, but would point out at once to them the character of the acts by which they were to revenge themselves on any persons by whom they imagined they had suffered some wrong.

Now, I call your Lordship's attention to a speech on the 5th June 1881; at Knocknabul on the 6th June 1881; the first speaker was the Rev. Michael McMahon, parish priest. He said:—

The document was put in and read as follows:—

“ When Irishmen were in the French service,	Witness.
“ when the Irish brigade existed, when Englishmen	Constable
“ were in the field, the Irishmen were always placed	B. O'Malley
“ against the Englishmen, so sure were the French of	Reporter.
“ carrying the day. (Cheers.) Even in the great	
“ battles where the French were beaten, the Irish broke one section	
“ of the field and brought back the English colours. At the	
“ battle of Fontenoy the French were forced to fly. One resource	
“ remained, 5,000 of the Irish brigade, they got the word to charge,	
“ then rushed in upon the English column irresistibly like a thunder	
“ cloud, and trampled them to the earth. At the American War,	
“ Washington's was with America, the Irish contingent contributed	
“ most materially to its success. In the war of 1814 between	
“ England and America, the American Navy created by John	
“ Barry, an Irish exile, defeated England in the height of her	
“ power. (Cheers.) The greatest commanders in that fleet were	
“ McDaragh and Stewart, the grandfather of the present Charles	
“ S. Parnell. (Cheers.) They dealt their blows upon the British;	
“ and the American Army, led by Jackson and” (the names are	
left out) “ two Irishmen also, they destroyed the English Army.	
“ The Irish element is a strong and growing power upon the earth.	
“ They surround the British Empire in thousands prepared to	
“ break upon it at any moment. Foreign complications may	
“ involve England any day in war.”	

Then the Rev. Mr. McGillicuddy, Catholic curate, said:—

“ Referring to Father Sheehy's imprisonment.”

Father Sheehy was Eugene Sheehy, a man whom your Lordships will find was mixed up with the Land League in various parts of Ireland.

“ What has been Father Sheehy's crime? Let me ask any  
 “ man here if Father Sheehy walked this road down here to day  
 “ and saw the ruin that you saw, if a groan of indignation came  
 “ from his breast, who would condemn him? And this is Father  
 “ Sheehy's crime. He has never done or said anything that would  
 “ be worse than if he stood about the pile of the ruins of Donoghue's  
 “ house and said ‘ Oh Herbert.’ (Cheers and groans.)”

Then Patrick O'Keefe, Newmarket, County Cork, said:—

“ The constitution upon which the sun never sets, and God  
 “ grant that it may never rest because it would be wrong and  
 “ dangerous to leave it in the dark—if the constitution fails to  
 “ give a portion of the land to the labourer, then I say God send  
 “ another constitution. Another constitution will come and another  
 “ sun shall rest upon us. (Cheers.)”

Then Mr. Curtin, Newmarket, County Cork, said, referring to the farm from which Donoghue had been recently evicted:—

“ Let it stop there as a monument, as a memorial of Herbert's  
 “ perfidy.”

Your Lordships will find that Herbert was a man who was afterwards murdered.

“ Let it stop there to show that we the people are united to a  
 “ man, and that they will never suffer an Irish or an English or  
 “ any machinations to defeat us. Let it stop there till Herbert  
 “ goes down to the grave, and badly he is able.”



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[Continued.]

There is again an interruption, "Let him go down to hell." Then the speaker says:—

"I don't want you by any means whatsoever to make use of a word against that man. I don't want you to make use of that ugly word boycott. But I will tell you that there are many ways of killing a dog besides choking him with butter. I presume that Herbert won't make his appearance often amongst you, and it would not be any great loss if he did not appear in Castleisland. Let it go around, from the centre to the sea, that Herbert will be one of the most important men in the country, far more so than Boycott or Bence Jones. I will go and bring some man that might make Herbert one of the most remarkable men in the country."

John D. Casey, of Newmarket, county Cork, at the same meeting said:—

"They were there to crush tyrannising land-robbers, English blood agents, and to abolish their cursed game of confiscation and eviction. We have been their slaves for many centuries. We are now determined to resist them by all means in our power. I call upon every one of you to stand by the standard of C. S. Parnell, and if one of us be taken away, let others take their place, until the English Government get tired of arresting us. Our motherland is a rich one, therefore let everyone be determined, no matter who is imprisoned, transported, or hung, let us carry on the cause to the end. Now is the time to crush landlords. Now is the time to live in freedom or die in slavery. It is now we are fighting the battle of victory or slavery. We are on the brink of victory, and thank God, and with His help, we will be victorious if we stand together, shoulder to shoulder, and stick to the Land League."

Then the Rev. Mr. O'Rearden, Catholic curate, said:—

"That the principal reason of their assembling there that day was to protest against a recent eviction in the district. He was there to denounce those who have perpetrated this outrage upon civilization. The speaker then explained the circumstances of the case of the evicted tenant in question, Donoghue, and stated that after he had been evicted, 'the hirelings of the agent proceeded to level the house to the ground.' Now, I say here to-day, and I know the effect that act had upon the feelings of the people, I say it was calculated to disturb and excite the people, and cause outrage in the land. Mr. Forster seems to be at present only listening to one side of the story. I say here to-day that there are some men in prison, some of whom I am proud to call my friends, I say that that act of outrage was more calculated to disturb the peace than anything that these people might reasonably be suspected to have done. I have a great objection to bring any man's name under censure, public or private, but I will not withhold the name of the landlord here to-day. The name is Mr. William Hartlet, the name of the agent is Mr. A. Herbert (boos), and I brand them here to-day as disturbers of peace and order in the land. I am here to-day to tell this Mr. Arthur Herbert (boos), that if he comes into this remote district to disturb the peace, that if he dares to do it, that though we will not injure a hair of his head, that we will make an example of him."

My Lords, it did not want the mystic Irish words "Thiggin thu" to let the people know what that meant.

"Is therefore Mr. Herbert to be allowed to come in here and break up the houses of these poor people, and cast them adrift on the waves of the world? I say he will not."



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[Continued.]

Now, my Lords, on the 11th September, I think it is the 11th September 1881, there may be some question whether it is the 11th September 1880, but I think it is the 11th September 1881, Mr. Kelly, who I mentioned yesterday.

Sir C. Russell.

Where?

*The Attorney-General.*

At Currow. Kelly, whom I mentioned yesterday as one of the Land League organisers—Mr. Kelly, of Tralee. He spoke at Currow on the 11th September 1881. He said:—

“He felt that in no part of the world, in no part of Kerry, could a meeting, so properly held as on this very spot where they are assembled, because they can almost see the foot-prints of the sheriff, the crowbar brigade (‘boos for them;’ boos), the emergency men, and all the rag, tag, and bob-tail of a miserable, mean, and cowardly Government. To-day, not very far from where they are assembled, the hired soldiers and police of Gladstone’s Government brought here, I daresay, to give themselves an airing; but with the ostensible purpose of preventing us from committing a breach of the peace. What little chance is there of us breaking the peace, because they might stick their unwelcome noses amongst us, and if they did I would not be responsible for the peace. Will you take a farm from which another has been evicted? (Voice: ‘They are taken here.’) Well, you have nothing to do with those people; they are simply land-grabbers, and for that you have one thing to do: Point the finger of scorn at them. As Dr. Nulty said, socially, ostracise them; have no intercourse with them; and they will find when public opinion is brought on them they will rot under it. We will work even to the death to keep the labourers here, and we know well that if more stern work is wanted, we can depend on the labourers on a pinch.”

Witness.  
Constable  
T. Keaveney,  
Reporter.

Then the Rev. Mr. O’Callaghan, Catholic curate, delivered a strong speech against emergency men and landlordism, and urged upon the people the necessity for combination.

“Against that system which will soon sink accursed into the earth to be wetted by the tears of the widow’s famished children a system that hired the spy and suborned informer.”

Then the Rev. A. Murphy, Catholic curate, said:—

“We have been fooled out of our rights for the last 200 years, and it would be much better for us to fight against our enemies on the battle field than starve in the workhouses as we have done. Unite; no man should go by the back stairs into the rent office; go in a body, or don’t go at all. (They are going that way, Father.) I should think there are plenty of night boys about here to see them.”

Your Lordships observe the interruption was, “They are going that way, Father.” Then the speaker goes on:—

“I should think there are plenty of night boys about here to see them.”

I will refer to that in a minute.

“I think that the cause has made great progress; one good thing, you have cooked the small land-grabber, he is done brown.”



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[Continued.]

Then the note of the reporter is, "Boos for Brown." Brown is a man who was murdered by two men called Poof and Barrett, who were tried and convicted for his murder; your Lordships will find that Poof and Barrett had been cheered at the Land League meetings, and Brown had been referred to at other meetings besides this:—

"You have yet to cook that big land-grabber, and the big land-grabber well merit it. (Boos.) Second course, land-grabber, third desert. We will give England her deserts, and as soon as England meets with her deserts then you can drink a health to noble Davitt. My friends, Davitt's wolf dogs are in the slips, and we shall only have to cry hulloa, when those wolves will run away. He need not catch them by the throat at all when they will run. Speak to no man that goes by the back stairs into the rent office; watch the petty agent and there will be no more land-grabbers, they will go up to the top of Crumckbin."

My Lords, with reference to what I stated yesterday as to the connexion between moonlighting and the Land League, I mentioned that as far as we are able we shall give evidence in every case in which it has been able to be traced, that moonlighters, or alleged moonlighters, were Land Leaguers, and what is not important in this connexion is this, that those who were Land Leaguers were defended, as far as the evidence shows, in practically every instance by the Land League money. I mention that not in any way for the purpose of further connecting the Land League with these outrages, because there will be, I think, abundance of proof of that connexion, but for the purpose of calling attention to the purpose for which the money subscribed was used, and as was stated in the speech I read this morning by Mr. Biggar, if anybody was charged with shooting a landlord the money of the Land League would be at their disposal for their defence to see that they got a fair trial. Of course the insinuation was that they were only going to be defended because they would not get a fair trial. The suggestion made was at any rate that these people knew what was the fact, namely, that the moonlighters and the persons charged with these outrages were defended with Land League money, and that from the beginning to the end they were under the protection of the Land League and of those great leaders who were referred to as the men who were to be respected in the Land League.

"Watch the petty agent and there will be no more land-grabbers; they will go up to the top of Crumckbin."

I suppose that is some mountain in the neighbourhood.

On the 20th September 1881 (I am sorry, Sir Charles Russell, I have not got the actual report of the speech), there was a meeting held, at which Mr. Harrington, also an M.P., was present. It was at Kenmare. The speakers were J. B. O'Sullivan and Mr. Edward Harrington. I am wrong about the year, but I may as well read it now.

*The President.*

What date is it?

*The Attorney General.*

It was the 20th September 1885. I read it carelessly 1881.

*The President.*

But unless you are going to pass over the intervening time altogether it seems a pity to read it now.

*The Attorney General.*

Except that it will save me going back to it afterwards. I propose to give your Lordships, with regard to these countries the consecutive speeches. Will you allow me to remind you of the dates once more. After 1882 the



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[Continued.]

Land League was supposed to be suppressed, and it was subsequently that the National League was started. There was a Coercion Act in force, if I remember right, from the year 1882 to some time in the year 1885, and there undoubtedly were fewer Land League meetings in the interval when the Coercion Act was in force, and fewer outrages. I mentioned that fact yesterday, and I mention it again this morning for the purpose of showing that concurrently with the Land League meetings these outrages occurred. I gave your Lordships those dates, which will save further reference on going back. My Lords, then I will break off at that period of 1881 and not refer to the later period, but do it subsequently.

Having read a series of speeches in Kerry, I must make a selection of the outrages I have to bring before your Lordships' notice; and here, as with reference to Galway, it will be utterly impossible for me, and I shall serve no useful purpose, if I attempt to describe all the outrages, but I do wish to show the outrages which had a direct connexion with the conduct which was instigated and with the resistance which was advocated by the speeches to which I have referred. I will give, as far as possible in order of date, those which I think necessary at present to bring before your Lordships' notice, and I call attention to the firing of the dwelling-house of Thomas Talbot on the 18th of March 1880. Your Lordships will find that on the 8th of March 1880 a man named Murphy was evicted from his farm, and Thomas Talbot took possession of his farm and occupied it as a caretaker. Possession was given, the farm was vacant, and Talbot simply occupied it as taking possession after it had been vacated. On the morning of the 18th of March he was fired at through the window of the house where he was living. I think on that occasion fortunately he was not injured.

*Sir Charles Russell.*

That is earlier than the speeches you have read.

*The Attorney-General.*

That is quite true, but I am not able to give your Lordships the earliest of the Land League meetings; the meetings took place and the organisation was to a great extent at work long before. Before many of the speeches to which I have referred; but of course it is not by any means easy to get all that passed at the earlier meetings, nor in fact were the earlier meetings of the same public character. The organisation of the country would not allow it. It is not until the country is partially organised that public speeches can be made, or until there are a considerable number of people who can excite the sympathy of those who made the speeches. I call your Lordships' attention to the firing into the dwelling of Jeremiah Sullivan on the 3rd of December 1880. Sullivan was a tenant of Lord Ventry, and he paid his rent. He had done nothing else, as far as I can trace in the evidence before me, to call for any vengeance from the Land League or from those who were opposed to any conduct of which he had been guilty. On the morning of the 3rd of December shots were fired into his bedroom window which actually penetrated the curtains of the bed in which he and his wife were sleeping; the whole of the windows of the house were broken, and a violent threatening notice was posted on his door. This was the notice:—

“ The cause that we come to you is this: You paid your rent,  
“ and we swear to our God that if you ever again pay it against  
“ the whole of the people, or any other man they will be shot.  
“ This notice only for the large family that was depending on you  
“ have been shot, and there is more black sheep in the neighbour-  
“ hood, got not to pay rent and they paid, and they will be shot.  
“ Rory of the Hills, the Moonlight Ranger.”

Then there is the picture of a coffin, and “ God rest his soul ” put against the coffin as a notice. He was a tenant on Lord Ventry's estate.

The actual place at which he lived I am not able to state at the present moment. The witnesses of course will be able to give it you. On the 29th



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of June Michael McAuliffe's house was attacked by an armed party, and himself, his brother, and his sister were wounded with gunshot wounds. One of his arms had to be cut off. He had served some eviction notices on tenants of Mr. Herbert's, on tenants who were under Mr. Herbert's agency. On the 6th of September 1881, William Cox, knockboy, had a notice posted on his door that unless he apologised to the Land League for having paid his rent he would be boycotted, and his house was subsequently fired into. On the 12th of November 1881, that is the same year, Thomas Galvin was fired at and wounded. The offence alleged against him was that he had paid his rent. His house was entered by an armed party and he was fired at and wounded. On the 17th of December 1881, Michael Flynn at Cordal, had his house entered by an armed party. He was charged with having paid his rent; he was fired at and was so badly wounded that his leg had to be cut off. On the 21st of February 1882, Daniel McCarthy's and Daniel Lenahan's houses were fired into. They were men who had paid their rent. On the 28th of February 1882, Cornelius Higney took possession of an evicted farm. On the 8th of June, having been warned to give up the farm, he was courageous enough to remain there; he was shot at and died of his wounds. The shooting was on the 8th of June. He took possession of the farm on the 28th of February.

Sir C. Russell.

Where was that?

*The Attorney-General.*

I am not able to give the place of that. The witnesses will prove it.

Sir C. Russell.

Whose tenant was he?

*The Attorney-General.*

I am afraid I cannot give my learned friend that information at the present moment, but I am going to undertake to prove it before your Lordship. I think my learned friends will have no difficulty in ascertaining from those who assist them details as to these outrages. They were reported in their own papers. I now call your Lordships' attention to a case of firing at and wounding Daniel Dooling at Craganoonin in county Kerry, on the 6th of June. These outrages are occurring in Kerry daily, and one cannot help asking again, my Lord, at the risk of repetition, why is it that there is not one single speech, one single attempt made by these great leaders, this great constitutional party, to restrain the Land League? The Land League started under the name of Mr. Parnell, Mr. Biggar and Mr. Brennan being officers, Mr. Egan being treasurer. Throughout the length and breadth of Ireland the doings of the Land League were day by day printed and published and circulated in the United Ireland papers; and, rightly or wrongly, these outrages being connected with the very men who were members of the Land League, how is it if they were not conniving at, if they were not winking at, if they were not taking the advantage of this organisation and this conspiracy, that not even a circular is sent out to warn these people of the iniquity, to tell them that some other persons, other than Land Leaguers, were committing these outrages, and that they ought to try and let them be convicted, let them be detected, and let them be punished. There is not one single step taken during the whole of these dreadful years of 1880, 1881, and 1882 by Mr. Parnell and his followers to put an end to this. Your Lordship will find, when some great outrage has been committed, and it is referred to by some speaker in one or two speeches which have come under my notice, the kind of reference is just the same as was made use of by, I think, Mr. Arthur O'Connor in the speech I referred to this morning—that the objection was, that the minds of the English people were excited against them by such things occurring, and never pointing out to these ignorant



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people the wickedness and the brutal cruelty, of the tyranny which those who lived amongst them were being subjected to. Daniel Dooling was a farmer for 25 years, at Craganoonin, and on the 6th of March, or prior to the 6th of March, he was suspected of having paid his rent. At half-past one in the morning on the 6th of March, a party of men entered his house, and asked whether he had paid his rent. He said that he had, and had received a reduction, whereupon they ordered him out into the yard, and fired at him, wounding him in the thigh. The same party went on to Sullivan's house the same night, and asked him whether he had paid his rent? Whether he answered them or not I am not sure. They went on to two or three other persons and inflicted minor injuries upon them, not being able to ascertain from them whether or not they had paid any rent. Some of them were injured because they would not answer the question. On the 10th of March in the same month at Knockadoone in county Kerry, Timothy Conner's house was entered. He was shot in his arms and his legs. His wife was shot in the thigh and the head, his daughter was wounded, and the offence was that he had paid his rent and he was suspected of having given information to the police with reference to certain outrages which had been committed. And, my Lord, it is not unimportant to mention that in this particular district one of the most violent and representative organisers of the Ladies' Land League, I think a Miss Reynolds, whose career will be traced, whose course through the country will be traced by the deeds which followed her agitation, had very shortly previously been agitating on behalf of the Ladies' Land League in the neighbourhood of the place where this outrage was committed; and Miss Reynolds undoubtedly went down with Land League money, and her expenses of what she did in the course of her travels through the country were paid from the Central Head Office. Now on the 30th March 1882 a man named Mr. Arthur Herbert, of Lisheenbawn, near Castleisland, was murdered. He was the man who was denounced in the speeches I read to your Lordship a few minutes ago. He was going to petty sessions in broad daylight. He walked along the public road and at Lisheenbawn he was fired at and shot dead, three shots taking effect in his body. I need not do more than mention that fact to your Lordship for the purpose of showing the character of the outrages which were following the speeches that were made. Your Lordship will not have forgotten the invitation to shoot the man by day and not by night. It seems impossible to exaggerate any statement of the wickedness of such offences or the men who could instigate them. On the 17th April 1882 John Culloty was fired at and so badly wounded that his legs had to be cut off. The offence that he had committed was that he had pointed out the lands of some tenants to some officer of the law who had had to come down into the neighbourhood. On the 11th July 1883 James Curley, a bailiff to a Mr. Raymond, was shot at and wounded, his only offence being that he had worked for this Mr. Raymond. He was working for Raymond. A notice was put up that anybody who worked for Raymond would be boycotted. This man Curley was plucky enough to go on working for this Mr. Raymond and he was shot at and wounded in the legs. On the 20th August 1882 Daniel Zeehy, who was 60 years of age, a farmer in Scarteen in Killarney, was murdered. With regard to Daniel Zeehy, all that there was against him was that he was a tenant on the property of Lord Kenmare and he had taken possession of some farm from which a man had been evicted, and had also temporarily purchased some grazing on an evicted farm. The murder took place on the 20th of August. They burst into his house where he was sleeping with his wife who clung to him. He was dragged out, his wife clinging to him. They shot the poor man in the lower part of his body so that he died shortly afterwards. My Lord, one would have thought such things as these would to a certain extent have excited the pity of the constitutional agitators whose names were connected with the Land League, and that the notices under which these poor men were supposed to be punished bearing the names of the National Land League, it being stated over and over again that it was for offences against the National Land League, and these outrages being referred to, as I have already said, and being brought to



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their notice, if they had paid the slightest attention to what was going on, by contemporary reports in the newspapers from day to day. On the 14th May 1883 James Walsh, who was only taking care of an evicted farm, was attacked by a party of men and wounded by three gunshot wounds. My Lord, it will probably be convenient, and perhaps may not be necessary for me to refer to them at present in the opening, but I shall leave the later outrages until I deal with the later speeches. Therefore as I stopped with the speeches prior to the year 1885 I will not refer to the outrages which took place at a corresponding period, but will leave that to a further reference either in evidence or speech afterwards.

Now I wish to call your Lordship's attention to the speeches which were being made about the same time in the county of Mayo, and I want to make this observation as to what appears to have been, as far as we can gather, the way in which this organisation was worked. Through Galway, Matthew Harris, and P. J. Gordon, and J. W. Nally, were sent down to do the agitation. I mentioned them to your Lordship yesterday. They made a series of speeches at various places in Galway. Through Kerry, Boyton, at times the Harringtons, and the other names I have mentioned—but I remember those particularly—made a series of speeches. Mr. Biggar made some, but not so many, but Mr. Biggar, of course, being a more important man, was not able to make as many speeches or to go to so many places. I daresay he had as important or more important duty to perform. I shall take the other counties, and your Lordship will find on the evidence, when it comes to be put in detail before you, that there was an organiser, practically speaking, doing the work in a systematic way in the various counties in Ireland, in order to make the power and influence of the Land League felt universally throughout the whole length and breadth of the land.

Now I ask your Lordship kindly to note how that was arranged with regard to the county of Mayo. I will call attention, confining myself to the same period, to the speeches which were made in the county of Mayo. The first is on the 2nd May 1880. I cannot pretend to say that I shall quote all the speeches. I refer to the speeches of which I have got copies, and I shall be only too glad to get reports of some of the others, though I have only references to what was done at those meetings, and notes in some cases of the resolutions which were passed. On the 2nd May 1880 there was a meeting at Irishtown, at which there were present Michael Boyton, Mr. Davitt, Mr. Loudon, and Mr. Parnell.

Mr. Boyton said:

"There was an old adage which says, 'Show me you company  
and I will tell you who you are;' it was a proud  
ambition of his to be in the company of Mr. Parnell  
and Mr. Davitt. It was the first time he had set  
foot in Mayo, and he would go back to the Land  
League of Kildare, and tell them that the cows in  
Connaught have long horns. (Cheers.)"

Witness.

Constable,  
T. O'Rourke,  
Reporter.

Mr. Davitt said:

"It was the anniversary of the initiation of the National Land  
League Agitation," that would be referring to the year 1879.  
He reviewed the work done by the agitation, which he said he had  
shown the tenant farmers their great strength, had brought them  
together in vast numbers; the force of landlordism was nothing  
against the vast masses of the people; it had convinced them  
that they had rights to the soil of Ireland, rights far more strong  
and more superior than the landlords; and it had infused into  
the people such a spirit that they are resolved to fight for those  
rights until victory crowned their cause. The Land League had  
called upon the people to pay no rent until they got a reduction,  
to look to their own comforts, and then offer the landlords what  
they could spare. You have triumphed over both the landlords  
and the Government, and by your action have made the landlords



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“ the weaker party. Then, in the name of reason, in the name of justice and common sense, let the landlords go to the wall.”

Mr. Loudon spoke and said :

“ Not alone have we on the platforms of Mayo, Galway, Sligo, and Leitrim preached the gospel of the people's social regeneration, but we have carried the war into every possible avenue of attack where we could strike landlordism low. (Cheers.) We often hear the expression that our meetings are communistic, but I here declare, in the face of Heaven, that the land does not belong to the landlords, but to the people. You must not let any man bring a charge of communism against us, for the cause we are advocating is the cause of humanity and of God.”

Mr. Parnell said he

“ Called upon the people to renew the pledge they had made 12 months ago to keep a firm grip of their holdings, to refuse to pay an unjust rent, and to stand by the struggle until the lands have passed into the possession of the people. The Irish National Land League was then a struggling institution; to-day it is known all over the world. Canada, Australia, and America are pouring in their money to help them. It is impossible for the 600,000 tenant farmers of Ireland to be overwhelmed if they combine together. We will prove you by fighting in the courts points of law—(cheers),—and out of the courts by creating a public sentiment against landlord exterminators; and if by any chance, in any place, a landlord should get the upper hand of his tenantry, we will see that better and happier homes will take the places of those they have lost. I leave this cause, then, in your hands, believing that we are commencing a renewal of agitation on the land question greater in intensity than that which signalled last winter.”

*The President.*

I have not got the date of that.

*The Attorney-General.*

That, my Lord, was the 2nd of May 1880 at Irishtown in the county of Mayo. My Lord, in the face of such speeches as that I do not know how it will be possible for anybody to contend that this was not a conspiracy, that this was not an organisation. It had been started and intended to be worked by agents who were to do the work in various parts of Ireland, and it was a conspiracy which never could be carried out by the two, three, or four men who combined together in the first instance, but must, as its influence increased, work by means of agents, and it is for that reason that I have said that the main charge and the principal charge which was made in “Parnellism and Crime” is that these leaders connived at and winked at the work which was being done. They did not themselves go and personally plan the outrages. They could not do it, because they had not the time, and of course would not be connected with it directly; but there the men were doing it for them, and of that system they took the advantage. They never stirred hand or foot to prevent the conspiracy having its worst outcome, its worst results, to them the support, the mainstay, the sole stay of their power. Without this organisation, as they called it, without this thorough organisation, it would have been impossible for Mr. Parnell to be supported by the Parliamentary numbers that subsequently did support him; the men who were nominated to take those places never would have been nominated at all.

Now I call attention, my Lord, to the speech on the same day by the same man, Boyton, who the day before had been at the meeting at Irishtown.



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[Continued]

Michael Boyton

Said he represented Mr. Parnell at the meeting that day, and proposed a resolution protesting against the tyrannical power that had driven two of their countrymen (McHugh and Walsh) out of the country, and pledging the people to take care of their holdings until they returned to resume possession of them. The cause they have in hand is known to all, and if that cause is right it will succeed in spite of the whole British Empire. It is right, and it will succeed. We are going to tear down this most infamous structure. We are going to protest against the most infamous imposition of laws. I was told here to-day that the arm of the law—the rotten arm of strength—was sent here for your protection, but I think the men of Mayo are able to take care of themselves. (Cheers.) The seed that you have sown to-day will come up and astonish the whole world, but who will take up the crop, the crop that will follow? it will be more significant when the question of the right to the land will be decided. I want you to bear in mind that the man who is to-day the recognised leader of the Irish people is taking advantage of a weapon greater than the sword—the pen. We have a faithful and efficient staff of men, who are putting before the eyes of the world, greater empires than the British, that every power will be used against them. I did not come here to make a speech. I came here to describe in great round Roman type before 500 audiences in the Great Republic of the West.

Witness.

Constable  
T. O'Rorke,  
Reporter.

The Reverend Mr. Corbett, Catholic curate, also spoke at this meeting at which Mr. Royton was present, and Mr. Walsh :

“ We will hold our farms and keep a firm grip of them ; we  
“ will at least terrify the landlords so far as we can, that they will  
“ relinquish their hold upon the land. Referring to some vacant  
“ holdings on a local property, which, however, he did not name,  
“ he called upon the people never to dream of going into possession  
“ of these holdings again ; let them lie waste, and put this tyrant  
“ down. At this meeting a placard was displayed having the  
“ inscription, ‘ Let no man take this land.’ ”

Mr. John Walsh, said :

“ It was from the lips of Father Corbett he had first  
“ learned to hate landlordism ; I am here to-day to assist you to  
“ denounce that system. God made this world for his own glory  
“ and man's benefit. He never intended that a few lazy people  
“ should own the land.”

On the 13th of June in the same year 1880, J. W. Nally, the organiser, who was doing the work in Galway during part of the same autumn, said at Ballyglass :

“ The Peace Preservation Act is abolished altogether ; each of  
“ you can get a licence for 10s. Well, by paying 10s.  
“ you can shoot the whole year round. The Act is  
“ this, that you can shoot jackdaws, magpies, vermin,  
“ and the nuisance — (A voice : ‘ The Police.’)  
“ Speaker: Don't shoot the police, and the land-  
“ lords and land-grabbers are not brought under it.  
“ I am not telling you to shoot, but I am telling you what you  
“ can do if you like. There is only 10s. license for the whole year  
“ round. You will have to pay 3l. for game, but the other applies  
“ to the vermin line. Without unity we cannot get rid of the  
“ land-sharks and land-grabbers.’ Nally then read a resolution  
“ condemning the conduct of any person who would take an evicted  
“ or surrendered farm, and compared such conduct to that of the  
“ robber soldier who pierced the heart of Christ.”

Witness.

Constable  
Lavender,  
Reporter.



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[Continued.]

My learned friend, it appears, my Lord, has, and we shall probably have tested in the course of these proceedings, other reports of the speeches which have been made. If there be anything to qualify the language such as I am referring to, of course if it can be qualified, my learned friend is entitled to have the advantage of it for his clients, or of anything that may have been said at the same time. I am not referring to this particular speech. I am referring to other speeches as well. All I can say is this, it will be for your Lordships to judge whether the statements that are made by the reporters, particularly having regard to what I have already put before you in connexion with other places, do not represent with substantial accuracy the pith of the speeches which were and intended to be made for the purpose of exciting the people to the conduct which they afterwards followed.

Now at Shrute on the 20th June 1880, P. J. Gordon, the man I mentioned yesterday, spoke :

“ Commented upon the absence from the meeting of the parish priest, and remarked that he bears the name of  
 “ Good, but he is damned little good. He (Gordon)  
 “ left it in the hands of the people to chastise those  
 “ who are against the people. He did not care if  
 “ ‘half the throats of our enemies were cut before  
 “ ‘morning.’ Gordon then related a story of an  
 “ attempt that had been made by a landlord to evict a tenant of his  
 “ (a woman). The woman stood up, took from the hearth a tongs,  
 “ and smashed the head of the robber. She was not guilty of a  
 “ crime. He asked the woman there that day to act the part of the  
 “ soldier, to allow no robber to enter their cabin. If they drive the  
 “ robber from their cabin door, their name shall pass to every  
 “ quarter of the globe. He alluded to two men, David Bourke and  
 “ his son-in-law, who, he said, were in treaty for an evicted farm  
 “ previously held by one Thorton. The people groaned at this,  
 “ and J. W. Nally observed that groans were of no use, and added,  
 “ ‘Refer it me for my pills I have got lately.’ O’Connell once said  
 “ that the land of Ireland would be dearly bought at one drop of  
 “ blood, but I differ from him. It is better for you to lose your  
 “ blood as Allen, Larkin, and O’Brien did.”

Witness.

Constable  
B. O’Malley,  
Reporter.

Your Lordship will remember I told you who those men were yesterday.

“ And we are determined to do the same. Away with the  
 “ land-robbers ; in referring to the land-sharks and grabbers,  
 “ unfortunately we have them in our midst. I ask you in the name  
 “ of Ireland to treat them with contempt. (A voice, ‘Give them  
 “ what Lord Leitrim got.’)”

Whereupon J. W. Nally, who was also at the meeting, said, “ You are too cowardly to do that.” Then Gordon went on—

“ Do not forgive them, they have sold their nationality and  
 “ away with them. I do not care by what form a man is robbed ;  
 “ whether by day or by night, you must look upon it as a robbery.  
 “ It is quite the same to a dog how he is killed, by choking him  
 “ with a rope or with butter.”

Mr. J. B. Walsh

“ Protested against the eviction of a tenant named Pat Kevill  
 “ by his landlord, Mr. Bourke, of Ower. He was present, deputed  
 “ by the Irish National Land League to offer any assistance towards  
 “ explaining the objects of the movement. He was present as an  
 “ Irish Nationalist to proclaim the doctrine of Irish Nationality.  
 “ He had taken an active part in the agitation since its initiation,  
 “ and he would be sorry to say one word in favour of the National  
 “ Land League, if he saw it interfere with that pure and holy  
 “ name of Irish Nationality. Whenever you meet a land-grabber,  
 “ land-robber, or land-thief raise your cry to Ireland, that it may



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[Continued.]

“ sound in his ears. Landlordism has been swept away by the  
 “ people of France, etc. Are we to lie up and see the bastard come  
 “ into our cabins? A tyrant comes in and says you must get up,  
 “ I want this cabin. What would be the feelings of that man?  
 “ Aye, I don’t know what would curb that man’s feelings, from  
 “ dark imaginings, or his hands from bringing them into effect.”

This, my Lord (as your Lordship notices from his own speech, and also from other evidence which will be laid before your Lordship), is a man who had been deputed by the Irish National Land League to offer any assistance towards explaining the objects of the movement. He had heard Gordon’s speech on the same occasion, and he endorses it with the observations that he, representing the National League, would give them that kind of advice which I have just quoted. There is not one single word of denunciation or repudiation of doctrines put in strong language, as they had been by Gordon, the previous speaker.

On the 4th of July 1880, at Bohola, there were present J. W. Nally and J. W. Walsh—the same man, the organiser. They were both organisers.

J. W. Walsh said:—

“ There were many reasons that gave him pleasure that day,  
 “ and that was to raise his voice in praise of  
 “ American Independence, and he hoped the Irish  
 “ people, under the leadership of C. S. Parnell, will  
 “ have Ireland a free nation yet.”

Witness.

Constable  
 T. Matthews,  
 Reporter.

Mr. Nally said:—

“ There has been more good done since this day  
 “ week than all the speaking—the pills. (A voice, ‘Three cheers  
 “ for Rory of the Hills.’)”

My Lord, very shortly before this speech an outrage had taken place in the immediate neighbourhood, a man being murdered, and your Lordship, if this evidence, and the evidence I shall call in support of what I am laying before your Lordship, is true will find these men were practically speaking almost the same language and repeating the same advice in various parts of Ireland. They were not men, of course, who were gifted speakers or selected for their eloquence; they were men who were selected and paid for the purpose of going out and organising this kind of work, and promoting the influence of the Land League by such speeches as those to which I have been referring. Therefore you would expect to find, and do find with very slight variations, the men are giving advice almost in the same words in various parts. My Lord, I believe it will appear that at that very time with reference to the statement,—“ There has been more good work done since this  
 “ day week than all the speaking—the pills,” there was lying in that neighbourhood, and dying at the time from a fatal shot, a man who had committed no offence, except that he had in some way offended the views of those who were promoting the Land League, — Feerick—who had been fired at before, and the shot which killed him was fired on the 29th June, within a week of that meeting, and to which the speaker referred at that Land League meeting.

Now, on the 11th July 1880, at Cong, in Mayo, P. J. Gordon, Matthew Harris, J. Walsh, and Father O’Malley, the present parish priest, were all present. This is what Gordon said in the presence of Matthew Harris and J. Walsh:

“ The man who takes an evicted farm I will point him as a  
 “ greater assassin than the man who fires a pistol-shot.  
 “ If you sweep away landlordism, everything will  
 “ prosper in this land. They say we are promoting  
 “ assassination; but it is not enough to make an  
 “ assassin of any man when he sees his family  
 “ sent forth on the world? Swear before Heaven

Witness.

Constable  
 B. O’Malley,  
 Reporter.



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[Continued.]

“ that this land you are determined to maintain. If you are  
 “ determined to be free you must strike the blow against  
 “ landlordism. I will sketch over the attempt at Ballinrobe.”

That was with reference, I think, to some outrage that had taken place, I think with reference to this very Feerick case to which I am going to call your Lordships' attention presently. The man died some few weeks afterwards. He was then lying, of course, on his death-bed from the effect of the shot which had been fired at him but a few days before.

“ I will sketch over the attempt at Ballinrobe. They have run  
 “ over to Claremorris, and took one man from amongst us. But  
 “ they wanted to have one bird in the nest. They knew he had  
 “ nothing to do with the murder. The police went as far as  
 “ Queenstown, and arrested those men on their way to America.  
 “ I stole away five of them, and before another week elapses two  
 “ will be away too. If there were a crime committed against the  
 “ man let them find out the guilty party.”

Your Lordship knows what I referred to early this morning as to the defence of these men, as to the fair trial which was to be obtained for those who had shot landlords, and as to the money which was to be available in the event of charges being brought against them, and now it is carried one step further. Practically speaking, there is the direct statement that he had something to do with the getting away of these people, but what is more important, these are the tactics which are preached, the instructions that are given to these poor ignorant men as to the conduct which is to be approved of.

Father O'Malley, parish priest, said :—

“ The Irish National Land League is the hope of the peasant.  
 “ Unity is strength. If you take a piece of thread, you can snap it.  
 “ but put a thousand pieces together and they will hold a ship.  
 “ You will put them round landlordism and lash it to the ground.  
 “ Talk is cheap, but what we want is action.”

This man, my Lord, of course is a minister of religion.

“ The landlords have murdered the people—driven them to die  
 “ in the workhouse, or sent them to the bottom of the Atlantic. I  
 “ say this is murder. A man said to me, ‘ Is it not a savage thing  
 “ to take away a man's life ? ’ Cut what shall you say to the man  
 “ who brings it upon himself ? ”

My Lord, many of these unfortunate landlords are people who have inherited their land, people who may have bought their land as a result of their savings, people who may only deal with tenants who have been there for years, and on perfectly good terms. They may have thought their rents were not too high, or they may have thought they could get the rent from the land. It is all very well to talk of this as being political agitation, or some attempt to redress grievances. This is a direct attempt, by means of attacking the tenants and so attacking the landlords, to promote the things whereby the landlord garrison was to be removed altogether from Ireland. The only ground for this denunciation is that it was part of the system which I endeavoured to describe yesterday, whereby this Land League organisation was going to do the work which would be palatable and acceptable to the extreme party in America, and, as your Lordship will find, it was in consequence of that that very large subscriptions came from America—were received by these very men to whom I have been referring, and a very large portion of that money still remains unaccounted for in the hands of the representatives of the Land League.

Now at Clooneal, County Mayo, on the 19th September 1880, there were present J. W. Nally, John Sweeney, and J. B. Walsh.

J. W. Nally :

“ Said he had seen some land-grabbers both that day and the  
 “ day previous at Killalla, and they had the look of Judas



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“ ‘Iscariot who slayed Christ on the Cross. I  
 “ ‘hope you will buy a lot of those pills that I will be  
 “ ‘selling. Any man can have a rifle and use it;  
 “ ‘they are very cheap now. I tell you you can  
 “ ‘shoot. There is no close season for shooting  
 “ ‘vermin.’ (Cheers.) He then proposed a resolution declaring  
 “ that no man shall take an evicted farm; any such man should be  
 “ looked upon as worse than the robber soldier who pierced Christ  
 “ on the Cross. Continuing, he said that ‘the words that have  
 “ ‘flown from my lips were not up to the wishes of his heart,  
 “ ‘because he would like to do away with land-grabbers and land-  
 “ ‘sharks. The people want something more than speechifying.  
 “ ‘It was no use unless they went hand-in-hand under the standard  
 “ ‘of Wolfe Tone and Emmett, and on the same scaffold as Allen,  
 “ ‘Larkin, and O’Brien. Until that was done they would never  
 “ ‘have total separation.’”

Witness.

Constable

T. Keaveney,  
Reporter.

Your Lordship will not fail to notice again this idea of separation, the political aspect, as they are pleased to call it, being brought out in order that when these speeches came to be reported, and when an account of these meetings came to sent to the other side of the Atlantic, to America, it would be found that they were carrying out that part of the programme which would be acceptable to the Americans; and before this inquiry is finished your Lordship will have little doubt as to what was the effect upon the American branch of the way in which these agitations were successful, and of the results of the outrages that were at any rate, as we say, in consequence of these speeches being perpetrated from day to day and month to month in Ireland.

Then John Sweeney spoke to the resolution, and

“ The people were urged to adhere to the instructions of  
 “ J. W. Nally by Pat Durkin and William McDonagh.”

J. B. Walsh

“ Said he was glad to see the light was spreading, thanks to  
 “ Redpath and others like him. ‘Any man who gives away his  
 “ ‘harvest and does not keep what will support his family,  
 “ ‘he is guilty in the sight of God.’ If the land is not  
 “ ‘able to supply you, don’t pay any rent at all.’ With regard to  
 that statement, “he was glad the light was spreading.”

Your Lordship will find that there was what was called, “The Spread the Light Fund,” and the expression “spread the light,” is commonly used both by the speakers on this side, that is, the speakers in Ireland, and in the American literature; and one of the ways in which the light was to be spread was by the circulation in Ireland of, among other papers, the “Irish World,” which was a paper which, as I told your Lordship before, by its articles, and by the speeches which were reported in it, openly advocated dynamite, assassination, and all kinds of acts of violence; and your Lordship will find that some of the men whose names are indicated actually applied to America for thousands of copies of the “Irish World” to be sent over; and Mr. Parnell himself thanked the “Irish World” and its subscribers for the good that had been done to the cause of the Land League; and more than once at various periods you will find persons whom we are charging here to-day, whose names are included in the particulars, in close communication with the American representatives of the “Irish World,” and with many of the men who are quoted in the “Irish World” as being the advocates of the sort of conduct which I have been denouncing for some time past. It may be said that this association was perfectly harmless. “We knew Ford; but we did not know him as a man who was the owner  
 “ of a paper which advocated such conduct as this. It is true we knew  
 “ Byrne, but we did not know that Byrne was the criminal we now believe



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[Continued.]

“ him to have been.” But what I shall show to your Lordships when I deal with that part of the case, and that is why I refer to it in connexion with this statement of the light spreading, is that these men, so far as we can trace, were only known as dynamiters, or as the advocates of dynamite, or as the persons who were advocating in the American press the light which was to be spread in Ireland, and therefore it will be difficult for your Lordships to come to the conclusion that the association between the Irish section and the American sections, the meeting of delegates of the two sections, was for any other purpose excepting for promoting a common object. It cannot be said that these men, who undoubtedly had in view the complete separation of Ireland from England, to be obtained by any kind of means, associated with what has been called, and falsely called, the “constitutional” agitators in this country for a bonâ fide purpose connected with that “constitutional” agitation. I broke off for the moment to refer to that because of the expression which appears in several other speeches and documents of the light being spread through Ireland by means of the course which was being adopted. Another name is referred to there, “thanks to Redpath and others like him.” Redpath was a most violent speaker. A speech of his occurs in these very proceedings. He was the correspondent of the “Irish World.” He was a most violent speaker, who denounced the Queen, and denounced constitutional authority; in fact, I remember on one occasion (it is referred to in my speech in *O'Donnell v. Walter*) he had made such a violent speech against the Queen that O'Donnell the Plaintiff in *O'Donnell v. Walter* repudiated the speech and said it was a disgraceful speech, and ought never to have been delivered. If I am right (I speak from recollection) one of the members of the Land League rather apologised for Mr. Redpath, or endeavoured to put a milder view of what his speech was. I refer to that now just to point out to your Lordship that that is the man who is referred to at this Land League meeting in the year 1880, as a man who has spread the light, and that thanks were to be given to Redpath and other people like him.

On the 10th October 1880 there was a meeting at Ballyhaunis. Mr. Soames is good enough to tell me, and I will mention to Sir Charles Russell, that a piece printed here is his own observation; it is quite certain it ought not to have been printed. It is some kind of commentary.

Sir C. Russell.

have no objection in the least.

*The Attorney-General.*

The speakers were Matthew Harris and James Daly.  
James Daly.

“ Said that Lord Mountmorris was not worth shooting as a  
“ landlord. He was shot because he fined a man at  
“ Clonbar Petty Sessions 10s. for pulling heather,      Witness.  
“ and for being a seducer. These remarks are also      Constable  
“ corroborated by Daly's own paper, the ‘Connaught      H. Kennedy,  
“ Telegraph.’” That is a comment to which I have      Reporter.  
“ called Sir Charles Russell's attention.

Matt. Harris.

“ Said that the liberty and independence of their country was  
“ to be gained by fighting, not by talking. No people ever gained  
“ liberty in a permanent and substantial form without fighting and  
“ dying for that liberty. Let the people of Ireland make up their  
“ minds to this, if they have any nationality and wish for severance  
“ from England; let them one and all make up their minds to this.  
“ They have the game in their own hands; beware of him who  
“ would tell you to pay your rent. These remarks are corroborated



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" by the 'Connaught Telegraph' newspaper of October 16th 1880."

Now, on the 3rd of April 1881, at Ballintaff. There was present, my Lord, at the the meeting, J. P. Quinn, who was Secretary to the National League. I may have made a mistake as to which branch, I do not pretend to carry it in my head; but I have seen his name in connexion with one of the branches of the Land League in some official capacity.

J. P. Quinn

" Said he left Dublin the day previous with the intention of being present at this meeting as the representative of the Land League for the purpose of 'denouncing the person who was about taking those farms,' but he was glad this disagreeable duty did not now fall to him, as the man who was was going to take those farms had come forward and disclaimed that such was his intention. I may say, as one who has been identified with this movement from its inception, that I would not give one day in the furtherance of the land movement if I did not believe that the day will soon come when the banner of freedom will float over us, and the iniquitous landlord system will be abolished for ever and the British Government done terrorising over us. Let no man be guilty of the treacherous conduct of betraying your country and the sacred cause by occupying a farm from which a tenant has been evicted; and if any man is so guilty, shun him as you would the very devil; boycott him."

Witness.

Constable  
T. O'Rourke.  
Reporter.

Will your Lordship kindly observe the connexion. The object is to be that the "banner of freedom" is to float over their land; that the "iniquitous landlord system" is to be abolished for ever; and that the British Government is to be done "terrorising" over them. Then those three very laudable objects are to be attained by preventing people from being guilty of the treacherous conduct of betraying their country by occupying a farm from which a tenant has been evicted. The fact was, if they could not succeed in subjecting the Irish tenantry to a tyranny of the character which we have been describing, then the movement would have failed just as Fenianism failed before this, as the honest people would not have been in fear, and there would not have been enough of the dishonest people to have formed an army for the purpose of effecting their objects. At the same meeting Mr. P. J. Gordon spoke in Mr. Quinn's presence and the presence of the Rev. James Corbett, Catholic curate.

P. J. Gordon called the Government "a bloody British Government."

Then he used the phrase he has used at several other places. He

" Said the land-grabber would be looked upon 'in the light of a Judas, who dipped his hands in the same dish with our Lord, and afterwards betrayed Him.' And the man who violates the rules of the Land League is a Judas, and must be looked upon as such. We have met here again to-day to dencunce any man that enters on this farm, and if any man takes it we will make it a hot shop for him. And, lest it may not be heard or understood, I say again, that we will make it a hot shop for him. I say that the English Government is the most tyrannical, the most despotic, and most damnable in the whole world. If you had the bold spirit of the Boers you would have your country free 100 years ago. (Cheers for the Boers.) Commit no crime; stick to the system of boycotting."

I think, my Lord, he might have said, "You twig," after that. Commit no crime; stick to the system of boycotting. Your Lordship already has 20 or 30 instances, nay more, in which I have shown that if boycotting was not sufficient, then they enforced boycotting by the crimes which it may be suggested they were there told not to commit. Will my learned friend say that is a denunciation against crime? Will my learned friend say that that



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is an earnest appeal by these powerful orators not to be guilty of crime? If so, I will ask your Lordships to draw your own conclusion upon such a suggestion.

My Lord, I pass to a speech in the autumn of 1880, which I ought to have read. I will ask your Lordship to allow me to interpose it. It was at Shrule, in County Mayo, on the 31st October 1880.

J. W. Nally and R. D. Walsh, the Land League representative, were present. There were banners. Nally's speech was as follows:—

Document put in and read as follows:—

“SHURLE, Co. Mayo.

“31.10.80.

“*Speaker*—J. W. NALLY, Balla.

“Inscriptions on banners:—

“‘Down with land-jobbers. Ireland for the Irish.’  
 “‘Down with land-grabbers’ (with pike and gun  
 “‘crossed).  
 “‘I’ll cock my musket, says the Shan van vogth.’  
 “Also a ‘Star and Stripes.’

Witness.

Constable  
 B. O’Malley,  
 Reporter.

“Said he had suggested on one occasion pills; but he found  
 “that pills had got mild, they were nothing but sweets. He would  
 “now suggest something stronger—dynamite, gun-cotton. He  
 “would not tell them to shoot anyone, but they could do so if they  
 “liked.

“‘Stick to your homesteads, and any man that evicts you, you  
 “‘know what to do.’”

R. D. Walsh, the Land League representative, spoke as follows:—  
 Document put in and read.

“*Speaker*—R. D. WALSH, Land League Representative.

“Said there was no one present who had done more to advance  
 “the cause of Nationality than Mr. John Nally and himself (*vide*  
 “Nally’s speech). They were there to say that landlordism was  
 “opposed to the best interests of Ireland. If he knew that the  
 “National Land League was antagonistic to Ireland, he would  
 “declare that he would have nothing to do with it. By destroying  
 “landlordism they would be laying the foundation-stone of National  
 “independence, and they would then be able gloriously to build that  
 “edifice for which Emmett died and for which Lord Edward bled.  
 “He had been told there were only two parties, the National Land  
 “League and the Fenians. (Cheers for the Fenians.) *Speaker*  
 “—‘Three more cheers for Fenianism.’ (Cheers.) ‘Are we to be  
 “told that the National Land League and Fenians cannot unite?  
 “‘We have only one enemy—the English Government.’ The cause  
 “‘of every farmer who is a Land Leaguer is the cause of every man  
 “‘who is a Fenian.’ He concluded amidst cheers by asking the  
 “people to band themselves together in the Land League.”

I shall be surprised if that line of argument is adopted by any of the eminent counsel representing the persons charged. If they do it is an absolute justification of the charges in “Parnellism and Crime,” for “Parnellism and Crime” pointed out that this conspiracy started in the year 1879, and worked in the years 1880 and 1881, and only existed by reason of the representation, pressed upon all its advocates, that by attacking the land system you did combine together, both the Fenians and the land agitators. At Ballintaff, on the 8th April 1881, Mr. Quinn, of the Dublin Land League, spoke.



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[Continued.]

[Document put in and read as follows] :—

BALLINTAFFY, Co. MAYO.

8.4.81.

*Speaker* : J. P. QUINN, Dublin Land League.

“ Said he was present as a representative of the Land League. Denounced land-grabbers, who, he said, should be shunned as the very devil. [See also speeches of P. J. Gordon and Rev. Father Corbet at this meeting.”\*]

Witness.  
Constable  
T. O’RORKE,  
Reporter.

My Lords, I think in all probability that is the same meeting as the one I had previously given the date of as the 3rd. I expect that is a misprint in my copy, the 3rd for the 8th. If your Lordships will kindly correct the 3rd and put an 8, because I see the extract I have just given was also a meeting at Ballintaffy. Therefore, I did not make the mistake myself, but was led into the mistake by the incorrect heading on the first page. Now on the 10th of the same month at Roundfort, County Mayo, there were present Peter Mullaghy and others, and P. J. Gordon made this speech :—

[Document put in and read as follows] :—

“ COUNTY MAYO.

“ ROUNDFORT.

10.4.81.

“ *Speaker* : P. J. Gordon.

“ Also present: Peter Mullaghy, hon. secretary, Kilcommon Branch, Land League, and Edward Walsh, assistant secretary, Kilcommon Branch, Land League.

“ Said he came there at the invitation of the Kilcommon Branch of the Land League. A sum of 30*l.* had been sent by the Irish National Land League for the sufferers and friends of those persons in gaol in connexion with the Clarsen affair: it would be distributed, and 5*l.* given to each. They were bound to resist that law which has deprived their forefathers of the land that was theirs, and who were evicted without mercy. There was no remedy; the thing went on until we saw half-a-dozen men sit down and say they would make a move. You know the result. (Cheers.) (At this point Mr. Pringle passed the ‘Crown’ on a trap and was groaned). I for one took an active part in the land movement from the beginning. I was tried for the part I took in the Four Courts, Dublin. I will stick to my last, and that is the land question, and tell the murderous British Government it is killing the Irish people. . . . If you have any land-grabbers amongst you don’t speak to them; shun them as if they were the devil; don’t speak to him in the chapel; no person or law can compel you to speak to any person you don’t wish to speak to.”

Witnesses.  
Head Constable  
J. Rogers  
and Constable  
M. Moran.

Your Lordships will find from what text that observation is taken.

“ If the blood of one landlord shot cries to heaven for vengeance, how much more the blood of millions of the Irish people murdered by eviction and starvation. (Cheers for the Boers.) The Boers are the boys can bone the English soldier. The Boer country is not bigger than the city of Dublin, but they said to the English Government that they would have to kill every man, woman, and child before it would get them to surrender their rights. If the Irish people held out like the Boers, the landlord and agent would soon be glad to settle them and give them all they wanted.”

\* Parts in brackets not read.



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“I have a few words to say about the Arms Act. I do not want you to send the first instalment to the police, like that sent to the Home Secretary. Keep your own arms ready and your firearms safe; let the police go to look for them. The Government says it will pay you for them, but if you give them up you may go and look for payment. You paid for these arms; they are your own. Keep them safe and your own arms ready, as a day may yet come when the Irish people may be called on to fight for their country. I got some of my limbs broken in this land movement, but my heart is not broken, and I hope I may live to see the day, and if ever any of my limbs are again broken, I hope it will be on some hillside fighting for the independence of my country. (Cheers.) The speaker here made a reference to Robert Emmet, and said if he were alive he would fight for his country, but the people were not organised then as now. They are organised now. (Cheers.)”

Your Lordships know what the argument was and how the argument works. On the 11th at Claremorris P. J. Gordon spoke in the presence of the same man mentioned at the other meeting, Father Corbett.

[Document put in and read as follows:—]

“ COUNTY MAYO,

“ CLAREMORRIS.

“ 13.4.81.

*Speaker*: P. J. GORDON.

“ Also present : Father Corbett.

“ Called for three cheers for Father Cobbett.	Witnesses.
“ ‘Keep the flag flying, boys, don’t let it go down.	Constable
“ ‘I will be out yet to fight the battle against the	Pk. Flanagan,
“ ‘land thieves. Keep your powder dry, boys, and	and Constable
“ ‘blow Burke to blazes some fine morning. Walter	Wm. McClinton.
“ ‘of Curraleigh.’ ”	

I ask your Lordships’ just to note the name, “Walter of Curraleigh.” I will refer to it when I have read the speech:—

“He has all the money his father robbed from the poor tenants sunk in that place below, and now the devil has himself down in the grave or somewhere else. That is the devoted Catholic; see his work after yesterday. In one case he threw out 13 weak children, and brought 300 police to evict them. It was not the fault of the police, they were bound to come, and they acted as men there; they made up a subscription for a poor man that was starving. Let no man say a word to a policeman; but there is another dastardly dog there, Carter, any one who would look at him would know that he was a bastard. Carter the bastard, mind him.”

Your Lordships’ will mind the reference as to blowing Burke to blazes some fine morning. Walter of Curraleigh. That was the the Walter Burke who was shot, the soldier who was in company to guard him. I mentioned that outrage yesterday, and gave the particulars of that date. I think it can scarcely be suggested that was not a direct incitement to a crime which was afterwards committed. He had property both in Mayo and in Galway; and with reference to the way in which the circumstances under which the speech was delivered, you have Farther Corbett who was there, and for whom cheers were given, standing on the platform at the time these speeches were delivered. I think, my Lords, that is the series of speeches that I have in the county of Mayo during the years 1880 and 1881. The latter part I will postpone.

Now I have to give your Lordships, as briefly as I can, particulars of the outrages which took place contemporaneously with these speeches in the county of Mayo. From a period of about a year, and after the end of 1880,



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and until the beginning of 1882, there were five murders, 11 firings at people and wounding them, 18 firings into houses, and a very very large number of outrages of a less serious character. On the 25th March 1880 Michael Nolan's house was attacked by an armed party between 2 and 3 o'clock in the morning. The house was fired into, both Nolan and his wife were asleep, and they were threatened they would be again attacked if their land was not given up. In May 1880 Mr. Fearick's is the case I wish to call your Lordships attention, and deviate from the course I have previously followed of just again referring briefly to some of the speeches in connexion with the outrage, that the coincidence with regard to the dates is most remarkable. David Fearick was an agent for Mr. George Brown, and he got possession of some lands which had been occupied by a woman of the name of Gerraty; and after Gerraty had been evicted from the land, he came in possession of the land. The Land League meetings began in this district as early as April 1879. There was a series of meetings, but I have not any reports of the speeches, until those which I have read to your Lordships during the course of the last few minutes. I think I gave the meetings as early as the 2nd and 3rd of May, at which there were speeches by Davitt, by Parnell, and by Boyton, and the second meeting, at which Boyton spoke. Now on the 4th May in the same year, that is the day after the meeting, Fearick was shot; he was wounded, but not severely wounded, that is the day after the meeting at which the speeches had been made, and particularly Boyton's speech, to which I referred, upon the 3rd May. On the 13th June occurred the meeting at Ballyglass, at which Nally spoke, where he told them that everybody had power to carry arms, and that for 10 shillings they could get a license to shoot vermin. On the 14th June the placards were posted about the place in Ballinrobe, stating the names and addresses of land-grabbers would be published. On the 20th June occurred those speeches of Walsh and Nally, which I have read, again referring to extreme violence; and on the 29th June Fearick received the shot from which he afterwards died. It was at 3 o'clock in the afternoon on the 29th June 1880, 3 o'clock in the afternoon in broad daylight, close to the town; he was shot and wounded in the back, arms, right thigh, right hip, and the left eye, and he was left for dead in the road. Nobody came to assist him. He was subsequently removed to the hospital, and while he was lying in the hospital dying from that wound, Nally made the speech in which he said, "There had been something done within the last week that was better than speeching," and again referred to the "pills."

On the 11th of July the meeting took place at which speeches by Gordon, Walsh, and Nally were delivered, and on the 15th August Fearick died. My Lords, if this is coincident it is a very unfortunate circumstance, but I do respectfully submit to your Lordships it is impossible to trace this conduct to anything except the agitation that had been supported by the Land League.

*The President.*

When did you say he was shot?

*The Attorney-General.*

He was first shot upon the 4th of May, but not fatally. He was again shot on the 29th of June, there having been a meeting on the 20th June. There was in fact a meeting and these violent speeches on the 2nd and 3rd of May, and he was shot at on the 4th. There was a meeting on the 20th June. Still more violent speeches were made by Walsh and Nally, and he was shot at on the 29th. And then on the 14th of July occurred the meeting at which Nally referred to what had happened "as being better than speeching. On the 11th of July occurred a meeting at which Matthew Harris, Gordon, and Nally again spoke.

*Sir Charles Russell.*

Where was he shot?



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[Continued.]

*The Attorney-General.*

I thought I named the place. He was attending the sessions at Ballinrobe. I do not know whether he was actually in the neighbourhood of his own home where he was shot. On the 4th January 1881 Patrick Kirwan, who was watching crops on an evicted farm for the landlord, and had done nothing more than watch the crops for the landlord, he was dragged out of his house. His house was attacked. He was dragged out of it. Kicked and carded in the face. I described to your Lordships yesterday what they do when they card a man they attack. This is an implement used for the action of carding wool, and wounds a man's flesh by dragging the card upon his face. On the 28th February 1881 occurred the case of the attempt to murder John Hearne. John Hearne was clerk to the petty sessions at Ballinrobe. On the 18th May 1880, there having been some proceedings taken for eviction, some men whose names I can give if necessary—John Hennell, Edward Toole, and Pat Wilson—were first evicted and then re-admitted as caretakers. On the same day, there being a meeting of which I think I have given the speeches, but I am not quite sure, in Ballinrobe. John Hearne was pointed at by J. W. Nally, one of the speakers. No, I have erred. It was young Hearne. I think it was his son. C. Hearne, the son of John Hearne, was pointed at by Nally, and he was mobbed as he returning home.

Sir Charles Russell.

You have not read that speech.

*The Attorney-General.*

It is in the autumn of that year. I can do no more than say that they regarded this man who was clerk to the petty sessions as being somebody who was connected with the law and supposed that he had something to do with the enforcement of the law, and therefore a person likely to be unpopular. A threatening notice was in the month of November sent him by post telling him that if one tenant was put out on Kingooler, John Hearn would have to leave the neighbourhood, signed "The Boycotter." The estate of Kingooler, as I understand my instructions, was an estate upon which certain proceedings had been threatened, but Hearne was simply a person that had to do with some notices that had to be served. He was the agent for the owner. On the 28th February he was walking home from Ballinrobe, and at 2 o'clock in the day, within 200 yards of his own house, he was attacked by two men, who fired at him with revolvers, and he fired. More than three shots were fired altogether, for he had six wounds upon him from the shots which were fired at him, and I believe his hearing has been permanently affected. He was caused great suffering from the wounds that were inflicted upon him, and he was obliged to give up both his agency and the clerkship to the petty sessions, and has suffered, and will all his life, from the outrage committed upon him. Now on the 17th—I am taking murder cases in the first instance, or the attempts to murder—on the 17th November 1881, Luke Dillon was murdered. Luke Dillon was bailiff on the estate of Mr. Farrell. Dillon was bailiff to that gentleman in a subordinate position to Mr. Farrell. The Land League having some idea that some pressure should be brought to bear upon Farrell, the vengeance was inflicted upon his agent. On the 17th November he was shot at about half-past eight o'clock in the evening. On the 15th December in the same year the houses of Michael Finn, Thomas Moran, and James Moran, three tenant farmers, were attacked at night, all three of them. Shots were fired at them. They were dragged from their beds, and the offence was that they had all three paid rents which they were not to pay as long as Parnell was in Kilmainham. I do not know, but I suppose it will be suggested that the persons who put Mr. Parnell in Kilmainham were responsible for that outrage. I do not know whether the necessities of my learned friends' position will take them as far as that. At any rate, I think when you come to consider this matter, assuming it to be proved, your Lordships will come to the conclusion that something much nearer than language



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[Continued.]

is the cause of which I have been describing. On the 15th of March 1882 George Shean Carter, the landlord, who resides, I think, at Balmullet, was in the neighbourhood. He had been unable to gather any rents. He was owed rents for three to five years. He offered to accept one year's rent. As he was returning home from seeing some of his tenants he was shot at his own gate, and very very seriously injured, and had to be carried into some other house, and was, for a very very long time, in a very serious condition in consequence of the infliction of the wounds. On the 25th March 1882 Peter M'Greary, a small farmer, who lived near Castlebar, and who was supposed to have given some information to the police. At about 10 o'clock that night, his house was attacked. He seems to have been a very courageous man, as, when he heard the men knocking at the door, he got up and saw men with their faces concealed, and he fired at them. They went away for a time, and came back and shot at him through the door, and, although fortunately they did not inflict any serious injury upon him, a shot as nearly as possible struck him in the face, and his wife was shot in the face by another discharge, at the same time received an injury in her eyes from the shots that were fired at her. That was on the 25th March 1882. On the 11th May 1882, Thomas Barrett was murdered. I ask your Lordships' attention to the details of this case, which does seem to me to bring out, in very marked relief, what was the condition of these people, and the tyranny which they were subjected to. There was a landlord named Bingham, who had a farm of 12 acres, from which he evicted a tenant in 1871, and Barrett occupied the farm for four or five years.

On the 23rd of October 1880 this notice was posted :—

“ To all whom it may concern, that for the welfare of the Irish  
 “ tenant farmers grazing must be put down for the exclusive benefit  
 “ of a few land-sharks. Every man must observe this rule,  
 “ especially those deluded serfs or slaves whose motto should be self  
 “ interest and safety, not helping to play with the interest of their  
 “ own fellow countrymen, and help to put down those tyrant land-  
 “ grabbers. Make them clear off the Irish land for Irish hands to  
 “ till. The land must be left without a beast to graze on until the  
 “ land thief is brought to a sense of justice. Down with monopoly.  
 “ The second notice shall be a bullet. So drop the grazing in  
 “ time before the 1st of November.”

That was posted on the farm of which Barrett was the occupier in 1880. He gave up the farm on the 1st of November 1880, and it was let to a person named Carter. He took a farm again from the same landlord on the 3rd of May 1882. That is to say having, occupied one of the farms he took another one under the same landlord which had been given up and which had remained vacant for very many years. Having been unoccupied really and within a week of his taking it—he was fired at in his house when he and his wife were getting into bed, his children being in the same room. He was fired at and wounded so severely in the right eye and right hip that he died within two hours. My Lord, it would certainly seem a most remarkable thing when we have this denunciation of persons who are called land grabbers and this constant reference to land-grabbers in the speeches I have been reading in the county of Mayo, that one cannot help asking oneself what a land-grabber has done that makes him worthy of being shot. There are only two reasons, one is that he has in some way robbed some other man, and that man is to take private vengeance upon him ; or the other is, that he is a victim to some scheme which makes it necessary no land shall be occupied, which ever has been the subject of eviction or proceedings of this kind. What I submit to your Lordships is this, that to say that because A and B have had a district that therefore C, who has had nothing to do with their murder, shall be treated as a robber, as a criminal, as vermin, to be shot, to be denounced, and, if necessary, to be killed, because he has taken a piece of land in order to get a living for his wife and family, I say that to say that kind of doctrine is to be taught, promulgated, and encouraged, is the most infamous and horrible



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[Continued.]

tyranny that can possibly be suggested. And for people to say that that is constitutional agitation is a gross abuse of terms, an outrage on the understanding and use of language, and I say that the charge imputed, and the crime which we have formulated in our particulars, was this, that the particular acts to which I have been referring are instances of the way in which that charge is to be proved. That that organisation could only exist, could only get its power by such conduct as would result in such outrages, becoming what I may call the law of the land as distinguished from the proper authority, or the proper recognised authority, which would preserve peace, and have allowed people to have gone about their ordinary means of livelihood without let or hindrance from anybody else. I have a very long list of other firings in Mayo, but as I have called attention to the murder cases, it will be sufficient for me to pass from that county without giving at present the dates or details of the outrages which occurred in the county of Mayo. I have now found a document I wish to read to your Lordships, which was signed, or purported to be signed, by Mr. Parnell, Mr. Kettle, Mr. Davitt, Mr. Brennan, Mr. Dillon, Mr. Sexton, and Mr. Patrick Egan; Mr. Parnell does not give his description except Kilmainham. He does not give a description of his business, nor does Andrew Kettle. Davitt is said to be "Honorary secretary, Portland Prison." That means no doubt that he was in Portland Prison. Thomas Brennan is said to be honorary secretary, John Dillon head organiser, Thomas Sexton head organiser, Patrick Egan treasurer, Paris. I mentioned to your Lordships, as far as I could understand my instructions, that Mr. Davitt did not at the time put his name to that, nor was he in any way consulted about it. It was put by some person for him. His name was signed by some person in Kilmainham. I am reading this from a report in the "Freeman's Journal." It was read at a meeting of the Land League by Mr. Campbell, the gentleman who is mentioned in the particulars, Mr. Henry Campbell, now M.P. At the same meeting he read a number of telegrams; one was from the "Irish World," saying that the "Henry George" sailed on the 15th, and would arrive in Dublin on the 26th. Then he read the following manifesto.

*The President.*

What was the date of the occasion on which it was read?

*The Attorney-General.*

I was going to give it. It was the 18th of October 1881. At a weekly meeting of the Land League: present, Mr. Biggar, Mr. T. D. Sullivan, and Mr. Leamy, and a number of Roman Catholic priests. Mr. Cantwell, the secretary. Mr. Cantwell, as I told your Lordships, read the manifesto and the telegram. (The document was read as follows):—

" To the Irish people,—Fellow countrymen, the hour has come  
 " to test whether the grand organisation built up during years of  
 " patient labour and sacrifice, and consecrated by the allegiance of  
 " the whole Irish race the world over, is to disappear at the summons of a brutal tyranny. The crisis with which we are face to  
 " face is not of our making. It has been deliberately forced upon  
 " the country, while the Land Act is as yet untested, in order to  
 " strike down the only power which might have extorted any  
 " solid benefits from the tenant farmers of Ireland from that Act, and  
 " to leave them once more helplessly at the mercy of a law invented to  
 " save landlordism, and administered by landlord minions. The  
 " executive of the Irish National Land League, acting in the spirit of  
 " the resolutions of the National Convention—the most freely elected  
 " representative body ever assembled in Ireland—was advancing  
 " steadily in the work of testing how far the administration of the  
 " Land Act might be trusted to eradicate from the rents of the  
 " Irish tenant farmers the entire value of their own improvements,  
 " and to reduce these rents to such a figure as should for ever



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[Continued.]

“ place our country beyond the peril of periodical famine. At the  
“ same time they took measures to secure, in the event of the Land  
“ Act proving to be a mere paltry mitigation of the horrors of  
“ landlordism in order to fasten it the more securely upon the necks  
“ of the people, that the tenant farmer should not be delivered  
“ blindfolded into the hands of hostile law courts, but should be  
“ able to fall back upon the magnificent organisation which was  
“ crushing landlordism out of existence when Mr. Gladstone  
“ stepped into its rescue.”

Not, my Lord, a very inapt description of what the League was attempting to do.

“ In either event the Irish tenant farmers would have been in  
“ a position to exact the uttermost farthing of their just demands.  
“ It was this attitude of perfect self-command—impregnable while  
“ there remained a shadow of respect of law, and supported with  
“ unparalleled enthusiasm by the whole Irish race, that moved the  
“ rage of the disappointed English minister. Upon the monstrous  
“ pretext that the National Land League was forced upon the  
“ Irish tenant farmers—an organisation which made them all  
“ powerful, and was keeping them by intimidation from embracing  
“ an Act which offered them nothing except helplessness and  
“ uncertainty, the English Government has cast to the winds every  
“ shred of law and justice, and has plunged into an open reign of  
“ terror, in order to destroy by the foulest means an organisation  
“ which was confessedly too strong for it within the limit of its  
“ own English constitution. Blow after blow has been struck at the  
“ Land League in the mere wantonness of brute force. In the face  
“ of provocation which has turned men’s blood to flame, the  
“ executive of the Land League adhered calmly and steadily to the  
“ to the course traced out for them by the National Convention.”

Your Lordship will hear in the course of this case what the course traced out by the National Convention was.

“ Test cases of a varied and certain character were, with great  
“ labour, put in train for adjudication in the Land Court. Even  
“ the arrest of our President, Mr. Charles Stuart Parnell, and the  
“ excited state of the popular feeling which it evoked, did not  
“ induce the executive to swerve in the slightest from that course,  
“ for Mr. Parnell’s arrest might have been accounted for by motives  
“ of personal malice, and his removal did not altogether derange the  
“ machinery for the preparation of the test cases, which he had been  
“ at much pains to perfect. But the events which have since occurred,  
“ the seizure or attempted seizure of almost all the members of the  
“ executive and of the chief officials of the League, upon wild and  
“ preposterous pretences, and the violent suppression of free speech,  
“ put it beyond any possibility of doubt that the English Govern-  
“ ment, unable to declare the Land League an illegal association,  
“ defeated in the attempt to break its unity, and afraid to abide the  
“ result of test cases, watched over by a powerful popular organi-  
“ sation, has deliberately resolved to destroy the whole machinery  
“ of the Central League, with a view to rendering an experimental  
“ trial of the Act impossible, and forcing it upon the Irish tenant  
“ farmers on the Government’s own terms.”

That of course was the Land Act.

“ The brutal and arbitrary dispersion of the Central Executive  
“ has so far succeeded that we are obliged to announce to our  
“ countrymen that we no longer possess the machinery for adequately  
“ presenting the test cases in court according to policy prescribed  
“ by the National Convention Mr. Gladstone, has by a series of  
“ furious and wanton acts of despotism driven the Irish tenant



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[Continued.]

“ farmers to choose between their own organisation and the  
“ mercy of his lawyers, between the power which has reduced  
“ landlordism to almost its last gasp.”

If I may be allowed to pause, I believe your Lordships will find that the power which had reduced landlordism to almost “its last gasp” was the power which was carried out during the years 1880 and 1881, the outrages on the tenants and on some few landlords and nothing else, and this was a direct reference to the work which had been performed by the Land League and its branches prior to the publication of this manifesto.

“ One constitutional weapon now remains in the hands of the  
“ Irish National Land League. It is the strongest, the swiftest, the  
“ most irresistible of all. We hesitated to advise our fellow  
“ countrymen to employ it until the savage lawlessness of the  
“ English Government provoked a crisis in which we must either  
“ consent to see the Irish tenant farmers deprived of their organisa-  
“ tion and laid once more prostrate at the feet of the landlords, and  
“ every murmur of Irish public opinion suppressed with an armed  
“ hand, or appeal to our countrymen to at once resort to the only  
“ means now left in their hands of bringing this false and brutal  
“ Government to its senses. Fellow countrymen, the hour to try  
“ your souls and to redeem your pledges has arrived. The Execu-  
“ tive of the National Land League, forced to abandon the policy of  
“ testing the Land Act, feels bound to advise the tenant farmers of  
“ Ireland from this time forth to pay no rents under any circum-  
“ stances to their landlords until the Government relinquishes the  
“ existing system of terrorism and restores the constitutional rights  
“ of the people. Do not be daunted by the removal of your  
“ leaders. Your fathers abolished tithes by the same methods  
“ without any leaders at all, and with scarcely a shadow of the  
“ magnificent organisation that covers every portion of Ireland to-  
“ day. Do not let yourselves be intimidated by threats of military  
“ violence. It is as lawful to refuse to pay rents as it is  
“ to receive them. Against the passive resistance of an entire  
“ population, military power has no weapon. Do not be wheedled  
“ into compromise of any sort by the dread of eviction. If  
“ you only act together in the spirit to which, within the  
“ last two years, you have countless times pledged your vows,  
“ they can no more evict a whole nation than they can imprison  
“ them. The funds of the National Land League will be poured  
“ out unstintedly for the support of all who may endure eviction in  
“ the course of the struggle. Our exiled brothers in America may  
“ be relied upon to contribute, if necessary, as many millions of  
“ money as they have contributed thousands to starve out land-  
“ lordism and bring English tyranny to its knees. You have only  
“ to show that you are not unworthy of the boundless sacrifices in  
“ your cause. No power on earth except faintheartedness on your  
“ own part can defeat you. Landlordism is already staggering  
“ under the blows which you have dealt it amid the applause of the  
“ world. One more crowning struggle for your land, your homes,  
“ your lives, a struggle in which you have all the memories of your  
“ race, all the hopes of your children, all the sacrifices of your  
“ imprisoned brothers, all your cravings for rent, enfranchised land,  
“ for happy homes, and national freedom to inspire you, one more  
“ heroic effort to destroy landlordism at the very source and fount  
“ of its existence, and the system which was and is the curse of  
“ your race and of your existence will have disappeared for ever.  
“ The world is watching to see whether all your splendid hopes and  
“ noble courage will crumble away at the first threat of a cowardly  
“ tyranny. You have to choose between throwing yourself upon  
“ the mercy of England and taking your stand by the organisation



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[Continued.]

“ which has once before proved too strong for English despotism.  
 “ You have to choose between all-powerful enmity and impotent  
 “ disorganisation, between the land for the landlords and the land  
 “ for the people. We cannot doubt your choice. Every tenant  
 “ farmer in Ireland is to-day the standard-bearer of the flag unfurled  
 “ at Irishtown, and can bear it to a glorious victory.”

Your Lordship will remember I referred to the Irishtown meetings in the course of the speeches I have read.

*Sir Charles Russell.*

You are mistaken, I think ; I do not think you referred to that.

*The Attorney-General.*

My learned friend, Sir Charles Russell, is in error. I have referred to both the meetings at Irishtown. I did not read any speeches about the first one because I had not them, but I at the time pointed out that Mr. Parnell was referring to the Irishtown meetings as being the anniversary of the meeting of the Land League 12 months before, and I was strictly correct in saying that it was the meeting to which I have referred that was noticed in this paragraph :—

“ Stand together in the face of the brutal and cowardly  
 “ enemies of your race ! Pay no rents under any pretext. Stand  
 “ passively, firmly, fearlessly by, while the armies of England may  
 “ be engaged in the hopeless struggle against a spirit which their  
 “ weapons cannot touch. Act for yourselves, if you are deprived  
 “ of the counsels of those who have shown you how to act. No  
 “ power of legalised violence can extort one penny from your  
 “ persons against your will. If you are evicted you should not  
 “ suffer. The landlord who evicts will be a ruined pauper, and  
 “ the Government which supports him with its bayonets will learn  
 “ in a single winter how its armed force is against the will of a  
 “ united, determined, and self-reliant nation.”

My Lords, I do not at the present moment stop to mention the circumstances under which this manifesto was got out at Kilmainham, or anything in fact in connexion with it apart from the particular use I am now about to make of it, and to which I ask your Lordships' kind attention. In several of the outrages to which I have referred, it will be proved by those people who have suffered and by those who are able to give evidence of the outrages, that the offence was the rent had been paid contrary to the no rent manifesto. After the date of the manifesto it was circulated over Ireland and made the text of the Land League speeches at the Land League meetings, and particularly urged at the meetings of the Ladies Land League, either Mr. Parnell and those who signed it knew what had been going on or they did not. I shall ask your Lordships to come to the conclusion that it is idle and ridiculous to suggest that Mr. Parnell, Mr. Dillon, Mr. Biggar, Mr. Sexton, Mr. Patrick Egan, Mr. Thomas Brennan, and Mr. Andrew Kettle, who had been up to the time of their arrest actively connected with the Land League, did not know what had been the effect of the Land League working. Your Lordships will have no doubt that reports were sent from the Land League branches week by week and month by month to the head office. I shall in a very few moments, speaking in the course of my address, demonstrate that to your Lordships. I shall show you that the head and central office was in direct communication with the branches, and was paying money for the work of the branches to be carried out. Patrick Egan, one of the men who signed, is a treasurer, Mr. Biggar was a treasurer, Mr. Brennan was a secretary, and I shall ask your Lordships, when you have heard the evidence on this part of the case, to come to the conclusion that many, nay, that all of these men did know what had been the work of the Land League during the last two years. If they did not know it, which is itself almost impossible to conceive, then the manifesto was meaningless which referred to the “ magnificent organisation which, during the last two “ years, had nearly brought landlordism to its knees,” but I do most respectfully impress upon your Lordships when you come to consider the history of



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this matter, that the Land League had from 1879 to the autumn of 1881, been doing exactly the work it was constituted to perform, been doing the work Mr. Parnell meant it should do. It is idle in the face of the speeches, some hundreds of which I have read to your Lordships now, to suggest that these persons did not know that that was the work that the Land League was doing. If the Land League was doing other work or was intended to do other work, where is the evidence of it? Your Lordships will hear some very remarkable evidence with regard to the disappearance of Land League papers and Land League books. I am not going to break in upon that part of the case, but dealing with what I have already brought before you, and with the speeches made at these land meetings, and the outrages following, if there was any evidence at all of genuine Land League work. I would put it before your Lordships because I am here, whatever my friends may think, to give your Lordships every opportunity of investigating the truth of the charges made by the "Times," and the allegations which the "Times" has made, and which the "Times" through me repeats, is that the objects, purview, and intention of this organisation was to destroy the relation of landlord and tenant through the counties, to bring the landlords to their knees, and so to sweep away the English garrison of landlords which was referred to in so many of the speeches which I read yesterday.

Simultaneously with the no rent manifesto was posted, apparently by the same people, at any rate side by side with it, and in no way repudiated by Mr. Biggar or Mr. Campbell, or any of the other acting officials of the Land League, Mr. Biggar of course being one of its prominent ones; this manifesto, signed by Patrick Ford, and posted throughout the length and breadth of Ireland.

[The document was put in and read, and is as follows] :—

"No Rent!

"Parnell.

"Davitt.

"Dillon.

Sexton.

Kettle.

Brennan.

Egan.

"Fly the land Court! 'Tis a sham, a fraud!

"He who acts the traitor in the hour of Ireland's trial shall pay the penalty of his villainy. 'Tis a noble cause you are engaged in—'tis a holy crusade against a hell-born class—a class who has plundered you and yours for centuries—a class who has grown fat upon the blood of yourselves and your children—a class who, rotting in lust and covered with human gore, stalk through the land scattering sickness, sorrow, misery, affliction, hunger, want and desolation in their loathsome path. 'Tis a war of right against might, of justice and liberty against tyranny and oppression—of charity, humanity, and christianity against selfishness, brutality, and immorality.

"Stand firm, undaunted, undeterred in your resolve to have the land that gave you birth, and though 60,000 bayonets may bristle around you and buckshot rain upon you God is with you, and you cannot be defeated.

"One more blow and victory is yours!

"Hold the rent, hold the harvest, hold the land, and the new year which is about to dawn upon us shall welcome a nation from bondage released.

To the Men of Ireland.

Office of the "Irish World," N. Y.

Men of Ireland!—The eyes of the world are on you. Stand together.

"Be faithful to your imprisoned chiefs. Obey the manifesto "No rent."

"Prepare for sacrifices. Be brave but prudent.

"Rely on America. Money and sympathy will flow over to you. We will

"succour the children of the evicted, and honour moral heroes.

"Landlords must go.

"Be true to principle, and redemption is assured.

God save Ireland.

PATRICK FORD."



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[Continued]

My Lords, what I want to know is, is it going to be suggested that Patrick Ford's organization and the hands that received the No-Rent Manifesto were not working with the same object? This has never been repudiated by Patrick Ford. There is not the slightest doubt that it was issued, your Lordships will be satisfied that it was issued, with the knowledge of Mr. Biggar of the Irish Land League, with the knowledge and possibly the direct authority of Mr. Patrick Ford.

Sir C. Russell.

You have not given us the date of that.

*The Attorney-General.*

I beg my learned friend's pardon, I stated it was published contemporaneously with the "No-Rent Manifesto" and that was the 12th October 1881. I have not quite finished with the county of Kerry, but I have an incident in itself independent and I would prefer to break off at the present time if your Lordships will permit me.

(Adjourned for a short time.)

My Lords, just before I read the manifesto, signed Patrick Ford, you possibly overheard a comment of which your Lordships warned me I should not take any notice, and your Lordships took no judicial notice of as to who issued it. I am not going to deal with the rent manifesto at the present moment, but it will be important to notice——

*The President.*

The document purporting to be issued from Kilmainham is what you call the "No-rent manifesto"; I have called this the "No-rent placard."

*The Attorney-General.*

Or Ford's manifesto. It is in connexion with that No-Rent Manifesto material to tell your Lordships that I shall be able to prove two telegrams preceding the issue of the No-Rent Manifesto from Kilmainham. One, Ford to Egan; "Communicate with Parnell if possible; consult with your colleagues, then issue a manifesto, no rent." Egan to Ford, "Your suggestion is approved, prompt measures are now in preparation to prepare a general strike against rent. The manifesto will be issued throughout the land. It is the only weapon in our hands."

Sir C. Russell.

What is the date?

*The Attorney-General.*

I gave the date. I have not got the date of the reply.

Before passing to another county I desire to give in connexion with the last two counties an outline of the important evidence which I shall lay before your Lordships. I indicated to your Lordships this morning that I should give you information as to the very large amount of money that had been received from America and other places by the Irish Land League, and the very small amount of it, comparatively small amount of it, that has ever been accounted for. That is not the only matter in connexion with the Land League which will invite your Lordships' very anxious research and inquiry. But it is, what has become of the Land League's books and papers,—by which I mean the Land League books and papers during the years 1880 and 1881 prior to later dates when some books were kept as stated, which perhaps do show some of the dealings with the National League. I wish to refer to this matter now before passing to another county, because it has a direct bearing upon the counties which I have been dealing with this morning, both as regards speeches and outrages. If your Lordships will kindly turn to page 85 of the printed proceedings you will find I read



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[Continued.]

in the course of *O'Donnell v. Walter* a letter which will be put in evidence again at this trial from H. Campbell to Dr. Kenny under date the 18th October 1881. Both those, Mr. Campbell and Dr. Kenny, are now members of Parliament. It is printed at page 85, and is in these terms:—

“Dear sir, Yours received, Mr. O’C.”—(that is probably Mr. O’Connor)—“and Mr. Sheridan” (Mr. Biggar is struck out) “will proceed to London to-day. I will go by Liverpool, and bring the books from there to Palace Chambers, and I shall also instruct the men at Liverpool to return to Dublin as you request. Mr. O’Connor wishes you to send a cheque for 30*l.* to his bankers, Messrs. Ridgway, 2, Waterloo Place. This is to enable us to pay our way as we go. Yours truly, H. CAMPBELL.”

When that document was put in evidence, your Lordships will find that it was received in due course at the Land League offices, and was answered and endorsed as being attended by W. F. M. The name is W. F. Maloney, and was undoubtedly a record of the date at which the books were sent from Dublin to London. At that time there was a fear in Ireland of a raid being made upon the Land League offices, and of the documents being discovered. Assuming them to be innocent, assuming them to relate to *bonâ fide* political constitutional organisation, one does not know why they should have had any fear of discovery. But what is much more important at the present time is what have become of these books. Where are they now? My Lords, the original of this letter was produced, with other documents, to the solicitor of “The Times” by a clerk, who will be called before you, and who will give evidence with regard to that document and other documents. I merely refer to that letter at this time for the purpose of fixing a date up to which the books were in Dublin, 18th October 1881. But, my Lords, those were not the only documents which, perhaps more by accident than any other cause, happened also to be in possession of the Land League clerk. There happened to be, and were found in his possession, and will be produced, and the handwriting upon them in many cases proved, two batches of documents relating to part of the work done at the Land League on two occasions shortly before they removed to London. Those documents will be very material, not only for their contents, but for the purpose of showing the system that was being carried on, and for the purpose of showing what was the connexion between the branches of the National Land League and the central office, and I only trust it may be possible to get at the corresponding documents for the earlier months, if they have not been destroyed.

Now, my Lords, although many of the documents are in themselves not very material, they are all of some importance as showing what was going on, and they prove undoubtedly that the National Land League, by which I mean the central office, was paying for the work that was being done, paying for persons who were refusing to work for boycotted people, paying for persons who were carrying out the decrees of the Land League, and thereby losing their employment, and what is much more important, is paying for outrages.

Sir Charles Russell.

For outrages?

The Attorney General.

Yes, paying for outrages. My Lords, there will be no doubt whatever about the proof of this document. One of the men closely connected with the Land League chiefs, as those who instruct my learned friend know, is John Ferguson of Glasgow. My learned friend’s clients will be able to give him information of John Ferguson, of Glasgow. I shall be able to give evidence that he was a high official in the League, and I will read to you, which I shall be able to prove, on the 20th September 1881, that is just roughly a month before the documents were removed, Timothy Oran



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from the Irish National League Land office, Castleisland, wrote to J. P. Quinn at the Land League office. J. P. Quinn was also an official in the Irish Land League. At this time Timothy Oran was the secretary, the local secretary of the Castleisland branch. Castleisland, as your Lordships know, is in Kerry. Timothy Oran is dead. His handwriting will be proved. "Sir, I beg to direct your attention to a matter of private character which I omitted to explain to you when I was in Dublin at the Convention. The fact is that one of the men from a shot lost the use of his eye. It cost him 4*l.* to go to Cork for medical attendance. And another man received a wound in the thigh and was laid up for a month. No one knew the patience but the doctor and myself and the members of the society. I may inform you that the said parties cannot afford to suffer. If it were a public affair a subscription list would be opened at once for them as they proved to be heroes. One man escaped a shot and got his jaw grazed. Hoping you will at your discretion see your way to make a grant, which you can send to me or the Rev. John Killigan, curate.—Yours Timothy Horan." And that letter was endorsed with the grant, the exact amount I forget, but I think it is 6*l.*, and which allowance was forwarded by John Ferguson.—J. F. Now, my Lord, I am perfectly aware that it happens in that particular batch of documents there is only one we are able to trace directly as being connected with outrage. I am not at all sure that I shall not be able to connect with this particular letter the outrage in which the wounding occurs, but will see what it means. The men have gone out on some moonlighting outrage expedition. I should think the case referred to by Mr. Biggar in the speech I have not read and in which he says one objection to outrages is that you may shoot the wrong man, it is probably a case in which the persons were fired at by the police, because your Lordships will have observed that one of the men was shot and lost the use of his eye, another man received a wound in his thigh and was laid up for a month, and one man escaped the shot and got his jaw grazed. Therefore it is, in all probability, one of those cases of which there are several, in which firing took place from the persons attacked and some wounds were inflicted, and that is why I think it possible we may be able to trace the outrage; but I ask why? I suggest—though I hope the suggestion is that there was no connexion possible between the Dublin centre of the Land League and the outrage, yet what is the meaning of saying, "I may inform you the said parties cannot afford to suffer; if it were a public affair a subscription list would be opened at once for them as they proved to be heroes," and the names are known to none except to the doctor and to the writer. My Lord, with the same batch of papers, I do not stop to read them now, though I put them in evidence before you, are a very considerable number of payments of persons who are carrying out the behests of the League, and requests, among others, for persons to be paid because they had declined to work for people in accordance with the orders of the League, and statements in one of the cases that unless the men are paid they will not be able to get the orders of the League carried out, and in all these instances a money grant made, sometimes the amount asked for, sometimes not so much, and all initialed by the same "J. F.," John Ferguson, who was at that time having to do with the treasures department of the Land League. I will not deal at the present time with a part of the case which I shall take entirely separately to show the intimate connexion of these people, whose names I have referred to and whose speeches I have been reading—those of them who are not actually named—with the central Land League organisation and their attending the various meetings.

I think your Lordships will understand why I say now if these documents could be produced and were in the state in which they originally were, they might give a very large amount of information as to what was being done during the previous year. It was a purely accidental circumstance that those documents were found. It was a purely accidental circumstance that they happen to have been left in the possession of the Land League official. The facts will be proved beyond all question. The custody



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of the documents, the circumstances in which they were found, and little as it may be, yet, taken in connexion with the speeches, and what I have already been describing to your Lordship, I venture to think it will justify one in asking your Lordship to draw a very strong inference indeed as to what was the connexion between the Central Land League and the branches under whose auspices meetings were being held and under whose subordinate commands the particular acts of outrage were being perpetrated. I ought also to mention to your Lordship that the letters to which I have referred do not by any means all come from the same places; some come from Kerry, some come from local places—I mean to say place; of which I am not able to give the county, not being sufficiently acquainted with the district in which the places are. They are signed by different secretaries, or by different persons, and therefore they show a system. They do not show one particular instance of Timothy Horan, or one other man who happened to write on this occasion for the purpose of having some special grant made under special circumstances.

Having told your Lordship one of the instances which I shall be able to prove to show the direct connexion between the branches and the central organisation, I must now call your Lordship's attention to the speeches and outrages in the county of Cork. My Lord, Cork is a district and a county, which in some respects will require special notice, because there were people in Cork who fought the Land League. There were people in various parts of Cork who courageously have fought the Land League all along the line, and it will be not unimportant to notice the way in which those persons who were bold enough to fight the battle of independence, law and order as against the Land League, were treated. There is a man named Haggerty, who, I think, lives at Mill Street, who throughout has shown the most courageous defiance of the Land League, who has been shot at more than once, who has been made the object of the most pointed denunciation by some of the leading members of the Land League, and there are others, some women I think among them, who have also fought their very best to maintain their independence and not to submit to the tyranny of the League. I refer to that, because, as will no doubt occur to your Lordship's mind, I contend, and shall contend, that for one person who can be found bold enough to risk, it may be beggary, it may be maiming, it may be death, there will be ninety-nine or a hundred who will give in, and these so called constitutional leaders were perfectly well informed, they knew perfectly well they could organise a county in the way that has been described, they could subdue, practically speaking, the great majority of the population to their will. My Lord, the Cork speeches run over a much longer period, but I will keep the earlier speeches separate from the later in the same way as I have with the other counties. Your Lordship will find them commencing about the same date and having the same objects in view to which we have referred.

I will first call your Lordship's attention to the speech at Dunmanway on the 30th May 1880, by Mr. W. P. Boyton, who I have already told your Lordship I shall show to be an organiser for the Land League, in fact he is referred to.

He

“ Said he was there that day to represent the President of the Irish National Land League in response to an invitation sent to the Dublin Executive.”

The President of the Irish National Land League is Mr. Parnell.

Witness.

Constable  
Keaveney.  
Reporter.

“ There was a little story told by Mr. Parnell, at a meeting in the Rotunda, to the effect that a certain American gentleman had said, ‘ Parnell, there is 25 dollars, 5 for bread and 20 for lead.’ I am *not* authorised by the President of the Irish National Land League to tell you that that was a *bonâ fide* transaction; that the man gave him 25 dollars. I am authorised to tell you that



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“ those 20 dollars are perfectly safe. We are not going to tell  
 “ Mr. Forster what we are going to do with the 20 dollars that  
 “ have since swollen to 20,000. The money gives 4 or 5 per cent.  
 “ interest on it, and we are turning it into good sound sovereigns.  
 “ Therefore I ask you in the name of God to stick together. If  
 “ you show us evidence that you are in earnest to help us, and take  
 “ a share in this 20 dollars, by showing us that you will stand  
 “ together. We have moral force, and we are going to use it, and  
 “ perhaps we have something in the shape of physical force, but we  
 “ don't want to use it. We may some day come down and see you  
 “ and talk about something else.” (Cheers.)

On the 5th September 1880, at Castlelyons, County Cork, the speakers were Mr. James Maye, Mr. Edward Kent, a member of the Cork Land League, Mr. E. Farrell, President of the Cork Branch Land League, the Reverend T. Farris, parish priest, Mr. J. R. Heffermann, Mr. J. O'Brien.

Mr. James Maye

“ Proposed a resolution declaring a branch of the League formed  
 “ for the parish of Castlelyons, to be called the  
 “ Fermoy Branch.

Witness.

“ Said a branch of the League was very much  
 “ needed when there was such a man as one Hayes in  
 “ the district proposing for his farm (hisses). Hayes  
 “ had offered more rent for his farm than he himself  
 “ was paying after the landlord had offered him a reduction—a  
 “ reduction which was afterwards withdrawn, owing to Hayes'  
 “ offer (hisses).

Constable  
T. O'Rorke,  
Reporter.

“ He swore that he would have it yet, and declared he would  
 “ wait 20 years for it (groans and a voice, ‘ He won't live half that  
 “ ‘ time.’) They should all join the Land League, and then there  
 “ would be no such men as Hayes. (Cheers and groans.)”

Mr. Edward Kent

“ Proposed a resolution pledging the people not to take a farm  
 “ from which a tenant has been unjustly evicted.”

The speaker added, “ By Heavens, if they do they will pay for  
 it.” (Loud cheers.)

Mr. E. Farrell :

If anyone be found bad enough to take a farm from which  
 another has been evicted, let no one speak to him, let no one buy or  
 sell to him, let no one have any dealings with him in any shape or  
 form. And I promise you that if you single him out in that way,  
 he will soon rather be rid of the land than have it. (Cheers.)

On the 24th October of the same year at Castletown, Berehaven, present Mr. T. M. Healy and Mr. J. W. Walsh (a name I have already mentioned to your Lordships in connexion with some of the other speeches), the organizer, the following speech was made by Mr. Healy. He

Advocated the nonpayment of rent

Speaking on the subject of hay burning and mutilation of  
 cattle, he said, “ It may not be the place of a speaker  
 “ at a popular meeting, or the editor of a popular  
 “ newspaper, to condemn these outrages. In my  
 “ opinion popular meetings and popular newspapers  
 “ should be conducted on strictly party lines. We  
 “ have no chance of sympathy from the landlords ; let  
 “ the condemnation of these things proceed from the people mostly  
 “ interested. I regret these outrages personally, because the charge  
 “ comes out of your pockets.”

Witness.

Constable  
T. Keaveney,  
Reporter.

Referring to the case of firing at the person of Mr. Hutchins, said that a  
 man so kind and fatherly should not have been fired at.



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“ Only four landlords had been murdered, whereas 2,470  
 “ evictions—sentences of death—had been carried out by them.  
 “ When the latter had been condemned, he would condemn the  
 “ murders of the four landlords. They were all very sorry that  
 “ Mr. Hutchins had been fired at, but he did not wonder at it. They  
 “ should enrol themselves in the Land League, the principles of  
 “ which would be explained to them by Mr. Walsh.

“ Be determined and say to the landlord, ‘ Thus far shalt thou  
 “ come and no further.’ ”

Mr. J. W. Walsh

“ Regretted he had not had an opportunity of visiting this  
 “ locality before, because he believed there was not a spot on God’s  
 “ earth where a Christian people were so badly treated. They  
 “ should throw this cloak of slavery and maintain their rights.

“ Called upon the people not to take evicted farms nor to  
 “ buy from the shopkeeper who sold goods to the land-grabber.”

At Enniskeanes on the 3rd July 1881, at a Land League meeting  
 C. Crowley was the speaker:

“ We were a long time begging and looking for charity, now,  
 “ you have got a chance. So far as you can see  
 “ around you, you have crops and roots enough to  
 “ support you for the next two years, and if you  
 “ don’t hold them, you don’t deserve the chance again.  
 “ It is your part to hold them, and to try and work  
 “ further ahead.

Witness.

Constable

W. Irwin,

Reporter.

“ Evicted farms should not be taken, nor should they assist  
 “ in the cultivation of such farms. If any ruffianly, damnable  
 “ creature be found in their ranks, he must be looked upon as a  
 “ black sheep. We must not sit beside him in church, we must  
 “ pass him by like a mad dog.

“ I would ask every man who has not yet joined the Land  
 “ League to do so as quickly as possible; the day is perhaps not  
 “ far distant when he must wear it; if not he will be looked upon  
 “ as an individual belonging to the other side. (Cheers.)

“ I believe there are a few emergency men in Clonakilty;  
 “ they will have to get a police barrack on every farm.”

My Lord, I know that there are one or two other speeches at Cork. Now  
 on the 7th August 1881 at Dunmanway there was a meeting of the Land  
 League at which Mr. P. O’Hea, who was one of the persons named, who has  
 since been promoted to be a Member of Parliament, Mr. R. P. O’Neill, of the  
 Cork Land League, and Miss Parnell were present. I think Miss Parnell is  
 the sister of Mr. Parnell.

Thomas Fuller

“ Compared landlords with wolves, for whose heads rewards  
 “ are given.”

Mr. O’Niel said:

The time has now come when we must meet  
 them at the sword’s point; and then I say we will  
 see whether the British soldier or the Irish peeler will  
 be content to throw down the rifle and take up the  
 pickaxe. (Cheers.) We have come to the point now; it is a  
 question Land Leagueism versus landlordism.

Witness.

Constable

W. Irwin,

Reporter.

Mr. O’Hea said this (I am sorry to think he was a solicitor):

“ The object of the Land League was resistance to the law—  
 “ passive resistance.”

I am not sure that is a doctrine solicitors would be supposed to  
 inculcate.

“ In Limerick when the walls were battered and broken down  
 “ by the cannons of the invader, the womanhood of Limerick



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“ asserted its right. I am sorry to have to say it, if the men acted  
“ better soldiers we would not be under the damnable sway of  
“ England to-day. (Cheers.)”

Miss Parnell

Said that in the event of the suppression of the Land League the farmers should keep all their money, there would be none to spare for rents. Out of the proceeds of next harvest they would have to keep the means to fight the landlords and the Government, no matter what steps they took. The people must be prepared for much more strenuous efforts to crush them than they have yet experienced. They must be able to put their hands in their pockets and say, “ We have enough money to fight them whatever they do, “ and if they put us to too much costs then it will be the worst for “ themselves, for it will have to come out of what would otherwise “ have gone towards paying a fair rent.”

Now, my Lord, I call your Lordship's attention to a meeting of the 2nd of October 1881, at which were present C. S. Parnell.

*The President.*

At what place ?

*The Attorney-General.*

At Cork, my Lord. Mr. T. P. O'Connor, Mr. Redpath,—a name I mentioned to your Lordship in connexion with violent speeches this morning,—Mr. T. M. Healy, Mr. J. R. Heffernan, and Rev. Eugene Sheehy. Mr. Eugene Sheehy, I think, is the same gentleman as Father Eugene Sheehy, who has been spending a great deal of his time lately in America.

C. S. Parnell, M.P.,

Said that the enthusiasm of the people, the spontaneous character of the reception, and the extent of their numbers all combined to mark this demonstration as one of the greatest and one of the mightiest that had ever shown the invincible determination of the Irish people to rule themselves. (Cheers.) If, as a result of the Land Act a class of tenant farmers received any benefit, they must recollect that it is their duty to refuse that benefit, unless it can be shared by all classes in the country. If any tenant farmer should be tempted to make his own bargain behind the backs of his neighbours, and to regard his own selfish interest only, let him recollect that the Irish people behind him will see that he does full justice to those who are placed under him.

Witness.

Constable  
W. Irwin,  
Reporter.

“ Although we cannot yet have our own Parliament to protect  
“ Irish manufactures, yet we shall be able by the strong force of our  
“ public opinion to give a preference to things that are made in  
“ Ireland by Irishmen. A happy future, then, is before us if you  
“ stand together like men; if you refuse to allow the lines of our  
“ organisation to be broken, depend upon it nothing can resist your  
“ power, and that by the spirit of order and by the habits of  
“ organisation and of association together which you are obtaining  
“ from day to day you will convince our rulers that it is an  
“ absolute necessity for them, if they wish to retain the link of the  
“ crown, that that link shall be the only link between the two  
“ countries.”

I call your Lordship's attention to that in connexion with the political aspect of the question which was being used for the purpose of cementing together these somewhat conflicting interests.

Mr. Redpath

Said “ he knew the Irish in America, and knew them well, and  
“ told them they will sustain the people of Ireland if they are true



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“ to themselves, not only with sympathy, but with money, until in  
“ all Ireland there is not a tenant who is not his own landlord, and  
“ not a landlord who is not his own tenant.”

T. M. Healy, M.P.,

Said he had seen that day a banner with the inscription on it,  
“ Pay no rents but Griffiths’ valuation.” A friend remarked to him  
that that was a very old banner and he thought so too; that it was  
getting out of date, because they remember how when the farmers  
tendered Griffiths’ valuation to the landlords last year their offer  
was rejected with scorn. The motto which he would now suggest  
to (Cries: “ Pay no rent at all ”), those who desire to bring this  
inscription to a meeting, they should split the motto in two, and say,  
“ Pay no rents but . . . . . and we will see by-and-  
“ bye what rent is going to be. (Cheers.)”

I do not quite understand by the report whether there are any words  
omitted. I rather gather the report to be that the sentence was to be broken  
in two, indicating a pause. “ Pay no rents, but . . . . . we will  
“ see by-and-bye what rent it is going to be.” Now Eugene Sheehy spoke,  
then a Catholic curate, a clergyman who, as I have mentioned before, has  
been in America.

Rev. Eugene Sheehy, C.C.,

Characterised the meeting as the most remarkable national  
demonstration that had yet appeared in the country to chronicle the  
ancient resolve of Ireland that this country must be ours (cheers);  
that has been the tradition and the sworn vow of ages of bravest  
sacrifices, and they stand there that day in their many thousands to  
repeat once more and to register solemnly the vow transmitted to  
them; that stay their steps they will not until they have planted  
those glorious banners of Ireland—(cheers)—not only on the ruins of  
landlordism, but on the ruins of that Government and that alien  
race which it represents. (Cheers.) The national idea is becoming a  
prominent one; it is no longer so much “ Down with landlordism,”  
as “ Down with English rule in Ireland.” (Loud cheers.) Fellow  
countrymen, I do not speak to-day a new idea; I do not speak  
because that my mind and heart happened to be stirred by the  
splendid declaration of your power that I witnessed, because I  
witnessed numbers, at least as many as 100,000 fighting men  
(Voice, “ And ready at a moment’s notice ”); not because of a new  
spirit begotten within me by the presence of that great power; but  
more than that, because I see behind you numbers, in every eye I  
see the soul of a new spirit; that not mere land-leagueism, not  
merely selfish interests, but the grand ideal possesses your souls, and  
that you will not be content as slaves redeemed from a cruel class  
until the other idea be realised—that of making your country a nation  
amongst the nations of the earth. (Cheers.)

I tell this English enemy and the American friend that we are  
no more or less than Paddies evermore. We will not compromise  
with landlordism, so I speak at least for myself, we will not com-  
promise with the English people. (“ Never.”) I care not who does  
that which would induce you to the idea of measuring you with the  
democracy of England. I say, No. (Voices, “ No ”.) There is no  
place else in Ireland, one is so anxious in planting that ancient flag  
staff as here in rebel Cork, whose heart never beat high, nor fast,  
nor natural, except when it beat in harmony with national ideas.  
Yes, then, fellow countrymen, Ireland for the Irish, whether it be  
separation altogether—(cries of “ Separation ”)—or whether it be a  
Parliament, as they say, in College Green, I shall not quarrel so  
long as the National Standard is afloat; let it be National anyhow,  
let the doctrine be preached, let the vows be registered, and we can  
unite on a platform that declares for College Green. (Cheers.)



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Now, my Lord, in the county of Cork, there are a long series of speeches in the year 1885. They are open of course to the same observation which your Lordship was good enough to address to me to-day, that there is a considerable break, and I do not propose to deal with them, but I desire to tell your Lordship that I shall at a later period point out that through the years 1885 and 1886 and right down to the publication of these articles, the speeches were being made under the auspices, by the organisers, and by the leading members of the National League, which was the direct successor under exactly the same organisation as the Land League, with the same objects and the same money, and with the same mode of carrying on its business, I say speeches were made promoting the same sort of outrages and the same result following. And I had better perhaps repeat here what I said in the course of my statement in opening the case of *O'Donnell v. Walter* that so far as I knew, no leading representative of the Parnellite Party had ever suggested that there was any difference whatever between the Land League and the National League; but they had in fact openly admitted that the two organisations were the same, controlled by the same money, by the same officers, and acting on entirely the same lines.

Now I will ask your Lordship to let me call attention to the Cork outrages. I am afraid I have not got them quite so summarised as in the case of the last county, otherwise I might have taken them more briefly; but your Lordship will also find that a great many other Land League meetings, at which resolutions were passed, and at which speeches were made, of which at present we have not got the reports; but witnesses will be called before your Lordships who will speak to the character of the meetings, and, in some instances, will be able to supplement what I have already read; and we have also further extracts from speeches which I myself have not gone through, but which will relate also to the county of Cork, as well as to some of the other counties.

Now, on the 16th July 1880, Mr. Samuel Hutchins was returning home at a quarter to 5. He travelled in a dog cart, driven by Downey. He was shot at, and Downey, who sat beside him, was mortally wounded. There is no doubt, I think, my Lords, that in that case they meant to shoot Hutchins and not Downey, and it is certainly one of the cases which were subsequently referred to, or might be one of the cases referred to by Mr. Biggar as to shooting the wrong man. However, be it as it may, Downey was shot when he was driving Hutchins. There is nothing known at all against Downey of any sort of kind or any feeling against him; but there was some suggestion that Hutchins had made himself obnoxious to the Land League, and the shot was fired at the trap in which Hutchins and Downey were sitting side by side.

Now I must call your Lordships' attention to the outrage on Jeremiah Buckley on the 22nd January 1881. At a meeting at Bantry on the 17th October 1880 (I have not been able at present to give a report of the speech) a very violent speech was made by J. W. Walsh, and there had also been a previous meeting, and violent speeches made at Knocknacree. On the 2nd June 1881 a public meeting in support of the Land League was held at Ballyvowmey, and as far as I can state from the reports of that meeting they were to denounce persons who paid rent or persons who gave any information of any kind to the police. Jeremiah Buckley paid his rent. It was the next payment after this meeting. On the 22nd June 1881 these men broke into his house, beat him with furze bushes, and asked him whether he had paid his rent. On his saying that he did, one of them took out a pair of scissors from his pocket and cut off a part of his right ear, which he took away with him.

On the 3rd of October 1881, Patrick Leary, the son of a farmer residing in the Kanturk district, was fired at, and so severely wounded that he died. His house had been visited, and the people in the house were asked whether or not they had paid their rents. The only reason that can be assigned for shooting at Leary is that he was thought to have been watching to see who it was who were coming to ask these questions about the payment of



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rents. If so, if such a very small act which would be an offence against the rules of the Land League, is to cost a man his life, certainly it seems that tyranny had about reached a point which could scarcely be surpassed.

In addition to the speeches I referred to at Bantry and Inniskeanes, on the 3rd January 1881 a public meeting was held at Ballyvourneen to further the objects of the Land League. The outrages were in October. I am obliged to give the date of the earlier speech, because I have not read the speeches. At this meeting references were made to land-grabbers and to persons who had taken grazing, and it was stated at the meeting that Peter Kelleher was either a land-grabber, or was about to become a land-grabber. He did take some land from Sir George Colthurst, and on the 31st October 1881 they came to his house; they made him get up; they asked him if he was a leaguer; asked him whether he would produce his card of the League; asked him whether he was not going to take this other farm; and then they shot him, the bullet passing through his right thigh.

On the 1st December 1881,—there having been, as your Lordship may remember, the meeting at which Mr. Parnell and Mr. O'Connor and the others spoke in the month of October 1881—on the 1st December a party of men went to the house of Michael Fenton at Gurtnasna, and fired at him with a revolver. I think they fired several shots through the windows of his house, but he was not wounded. He had paid his rent a short time before, and that was the sole motive, so far as my information tells me, for the outrage.

My Lord, in connexion with this county of Cork I shall have, I am sorry to say, a good deal more to lay before your Lordship with regard to speeches after the date to which I am now referring, and also with reference to the outrages that took place at the time to which the speeches which I have read refer. There are a great many more outrages than those the particulars of which I have picked out for the purpose of bringing them before your Lordship's notice, because I desire to pick out those which are severe in their character.

Now, my Lord, I think, for the time being, dealing only with this period, I can now take the last of the counties to which I have to refer in detail prior to the year 1882, and that is the county of Clare. My Lord, with regard to the county of Clare, I am not at present able to read to your Lordship as many speeches as in the other cases, but your Lordship will have evidence given before you as to the way in which the Land League was worked in the county of Clare from the witnesses who will be called before you, who will be able to speak of it in addition to any evidence of the speeches. One principal object I have in reading some of the speeches in the county of Clare is that your Lordships will find in one of the principal speeches by Mr. Parnell a text to which I have so often referred as to how you are to deal with land-grabbers. On the 19th September 1880 there was a meeting at Ennis, at which there were present Mr. Parnell, Mr. Finigan, Mr. T. D. Sullivan,—all Members of Parliament,—Mr. Healy, and Mr. Chene.

Mr. C. S. Parnell, M.P., referring to the question whether the farmers should give evidence before the Land Commission. Witness.

Mr. Parnell said:

That his opinion decidedly was, that whatever harm they may do to the cause by going before the Commission, they will certainly be able to do it no good."

Alfred F. Mills,  
Professional  
Reporter.

This was a speech, my Lord, when there was a Commission which had been started some short time before, for the purpose of dealing with the land question.

Speaking on the subject of land-grabbing, he used the following words:—

"What are you to do to a tenant who bids for a farm from which his neighbour was evicted. (Shouts and cries of 'Kill him,' 'Shoot him') Now, I think I heard somebody say, 'Shoot him,' but I wish to point out to you a very much better way, a more Christian and a more charitable way, which will give the lost



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“ sinner an opportunity of repenting. You must show him when  
“ you meet him in the streets of the town, at the shop counter, in  
“ the fair or market place, and even in the house of worship, by  
“ leaving him severely alone, by putting him into a moral Coventry,  
“ by isolating him as if he was a leper of old; and you may depend  
“ upon it, that if the population of a county in Ireland carry out  
“ this doctrine, there will be no man as to dare public opinion and  
“ transgress your unwritten code of laws. (Cheers.)

“ How would the English Government like it if some day we  
“ told the people not to pay any rent until this land question was  
“ settled? We have not told them that yet. If it should not be  
“ settled, it will be for wiser heads than mine whether we shall not  
“ be obliged to tell the people of Ireland to strike against all rent  
“ until the question has been settled. And if the 500,000 tenant  
“ farmers struck against the 10,000 landlords, I should like to see  
“ where they would get police and soldiers enough to preserve the  
“ peace. (Cheers.)”

It certainly is worthy of some consideration who the wiser heads were—whether they were, amongst others, Patrick Ford, who certainly did advise it in the autumn of 1881. But I want to say one word or two about this speech, which I do not understand to be denied by Mr. Parnell. My Lord, I have pointed out many times in the course of observations that I have felt it my duty to make to your Lordship that, as was pointed out by a far greater man in the years 1881, 1882, and 1883, leaving the people severely alone will not be sufficient to enforce the power of the League unless the ultimate steps of removing the obnoxious persons are taken in cases which are necessary; and your Lordship will not have forgotten that the way in which this speech was used by other speakers afterwards, and referred to, and the way in which its principles were, if I may so speak, enlarged upon, show that it was felt that the land-grabber was to be treated as a person utterly to be despised. For instance, take this sentence here, “isolating him as if he was a leper of old.” Over and over again in the speeches I have read your Lordship has heard the reference to a leper, the reference to a man being treated as a dog, and being treated as vermin. My Lord, what does it mean? It means, I submit, that any steps which are to be taken are necessary for the purpose of compelling a man to abandon that course of conduct which the majority of the people object to.

Mr. Finigan, M.P.,

Said they had shown their earnestness over the “great land question of self-government,” by their enthusiasm and numbers, but if they wished to carry out their resolves, they must do something more than cheer, they must do something more than unfold the Stars and Stripes.

No tenant should bid for another’s land.

Mr. T. D. Sullivan, M.P.,

Denounced land-grabbing, and said that if anyone should be so base as to take an evicted farm, he should be shunned. (A voice, “Shoot him.”) Let him be an outcast among them, and his life will be a life of shame and of misery; and the shame will not alone attach to him, but to his children and his children’s children.

On the 12th November 1882, also at Ennis, Mr. Redmond, M.P., and Mr. W. G. Kenny made speeches.

[The document was put in and read as follows:]

Mr. Redmond, M.P.,

The duty of the tenants on every estate in the County Clare is this: In the first place to join the National Land League they must travel on the same lines that they followed when the Land League existed.

Sir C. Russell.

Constable  
M. Christopher  
(42,247).  
Reporter.

Which Mr. Redmond is this?



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*The Attorney-General.*

I am not sure. I will try and get that information, but as you have the particulars in your own speeches, I think you can tell which it is from your own documents. It is reported in the current papers.

“The tenants must band together and not go into the Land Court until we obtain the amendment. They must go to the landlord and say to him that the rent is excessive, that they will only pay to him what they believe to be a fair rent. Tell him one and all, until his demands come down to what is just and fair, they will him no rent at all. If there is to be found any man, or any men so base as to go behind the back of their fellow tenants and play the part of traitors, I do not tell you to boycott them—I do not believe in using those fancy terms—but I tell you to make him feel the full weight of your indignation.”

Well, my Lord, I think that there is very little doubt as to what distinction would be drawn between “boycotting,” the “fancy term” there used and making people “feel the full weight of their indignation.” It is a distinction between a term which is used to describe the fact and the fact itself. He is telling them to make them feel the full weight of their indignation—

I am not telling you to pay no rent. The principles of no rent was never the policy of the Land League. The No-Rent Manifesto was issued as a weapon against coercion; it drove out of office the worst minister that ever stood on Irish soil—

and Dr. Kenny spoke,—the man I referred to as being the person to whom the letter was written about the books.

[The document was put in and read as follows]:—

Mr. M. J. Kenny:

Spoke of the Prevention of Crimes Act, 1882, as “more damnable than was ever passed by Castlereagh or Cromwell.”

Sir C. Russell.

It is not the same Kenny.

*The Attorney-General.*

There are two Mr. Kennys, and their initials are so much alike, I am not quite sure. It is one of the Mr. Kenny's. He was certainly a member of the Land League.

The Government put it into the power of one judge to try men without juries, and you people of Clare, you know well how these juries were packed in Dublin, how honest Irish Nationalists have been executed proclaiming their innocence.

Landlordism must be routed out, root and branch, and until that is done, there will be no peace or contentment.

The English Government are telling us they will give us a system of self-government. But we are determined to accept no system but that which will leave the people of Ireland their own masters. We have been the servants of England too long. Agitation is necessary to shake to the foundation the rule of England. We are determined to agitate until that system is crushed and rotten for ever.

Now I will read one speech. I will not touch any speeches, my Lord, at a later date than that though I have several speeches after the year 1885. I will refer only to the earlier speeches. Now I will give your Lordship particulars of some of the Clare outrages. My Lord, prior to September 1880, prior to the Ennis speech, Clare was in quite a normal condition and comparatively if not quite free from agrarian crime. Very shortly after that



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the ordinary police had to be doubled, from 327 up to 600, and between January 1881 and February 1882 (that is a period of 13 months), there were six murders and 12 attempts at assassination. From February 1882 to November 1883 there were six attempted assassinations. Fortunately in the latter part of that time the Crimes Act was in operation. It was one of the first counties which was proclaimed under the Crimes Act, and felt decidedly the effect of that measure. I do not think I can say there was any actual murder at that time.

Now, my Lords, on the 27th of April 1881, the speeches being made as your Lordship remembers in the autumn of 1880, a caretaker named John Sheehan had his house fired into simply because, as far as we can tell, the man had taken possession of some land in order to take care of it while it was vacant.

On the 6th of May of the same year several houses were fired into because it was supposed the persons there had paid their rent.

Now there is a case which occurred in the months of July and August 1881, which I must ask your Lordship kindly to let me give you in some little more detail. I mentioned to your Lordship in the course of the speeches at the end of 1880 (Mr. Parnell's speech at Ennis in September 1880), on the 17th July 1881, a Land League meeting was held within sight of a house occupied by a man named Mr. Studdert, and he was denounced by several of the local leaders. On the 10th of August 1881 a man of Studdert's, who was driving home, named Coffey, was stopped, and the donkey he was driving was shot dead. The two men were armed. They threatened him, and the donkey he was driving was shot dead. On the 14th of August 1881, another Land League meeting took place at which Mr. Studdert was again denounced, and at which Alpin, a speaker I mentioned to your Lordship in connexion with some of the other speeches in the early part of to-day, was present, and among those who were present at the time of this denunciation. The Rev. Father Ryan said the landlord who evicted a tenant was a murderer. Studdert was referred to as an unclean beast. The effect of these denunciations against Studdert was, that anybody who had anything to do with him was boycotted, and Mr. Studdert himself was rigidly boycotted, and among other persons a butcher named O'Halloran who used to supply him with meat. All that O'Halloran had done was that he supplied Mr. Studdert with meat, whereupon the local branch of the Land League proceeded to threaten everybody who dealt with O'Halloran. Robert Spaight, Major Maunsell, Lady Loftus, and Studdert himself were all of them threatened. The letters were sent, and several of them will be put in evidence. On the 7th of October 1881, Spaight, whose house was fired into, narrowly escaped with his life. The only offence, so far as my instructions enable me to deal with this case, known was, that Spaight had continued to deal with O'Halloran. He was not going to leave him simply because these men thought fit to try and intimidate him.

Now on the 29th of July in the same year Patrick Halloran, not the same man, but a man whose name is Halloran, had his house forcibly entered. In the early part of the year 1881 a man named Patrick Halloran had been working for Mr. Enright. Mr. Enright had some disputes with some tenants of his. Patrick Halloran was one of his herds, nothing else. On the 29th July three men entered his house and made him get up, and made him swear or endeavoured to make him swear that he would leave Mr. Enright's employment. Whether he said he would, or whether he did not say so I do not know, but as a matter of fact he did not at once leave his employment. Some other men also worked for Mr. Enright—Michael Hurley, James Reddin, and Michael O'Dea. On the 29th August in the same year, when it was found that these men were working for Mr. Enright, Hurley's house was attacked, he was dragged out of bed, he was assaulted and kicked, and shots were fired close to his head, and he was threatened if he continued to work for Enright. On the 18th of November Patrick Halloran was fired at, having done nothing except continuing to work for Mr. Enright, and died from the effects of the shot in the month of December 1881. Reddin, the other man



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who worked for Enright, was attacked 10 days later, on the 28th of November. Five shots were fired at him, and though he was not killed he lost his reason from the shock and has for ever since been an inmate of a lunatic asylum at Ennis. During the whole of this time Mr. Enright was boycotted, but I was referring not only or not merely to the fact that Mr. Enright, who had had some dispute with his tenants, himself incurred the vindictive feelings of the Land League, but that these poor unfortunate men, who had done nothing but trying to earn their living by working as labourers in that position, were one of them murdered, another of them injured, and a third of them driven out of his mind. My Lord, one cannot help saying that the very strong judicial denunciation of these practices by Lord Fitzgerald was perfectly well founded when he pointed out that these men did not injure the landlords to one tithe of the extent to which they injured the poor unfortunate men who were labourers in their own position and who had committed absolutely no offence in respect of which any complaint could properly be made against them.

Now on the 3rd of October 1881 a man named Lyttleton had taken a surrendered farm; a farm which had been surrendered, not even an evicted farm; a farm which a previous tenant had given up. They attempted to blow up his house with gunpowder simply because he had occupied land, it being the intention that no unoccupied land if possible should be occupied by anybody.

On the 23rd October 1881 Michael Mahony was shot dead in his dwelling-house in the presence of his wife and children, because he had paid his rent. His brother they shot at but providentially missed, because he had paid his rent, simply and solely because these men had had the courage to fulfil their obligations and to pay their rent.

On the 24th of October Mr. Bentley, who I think was the landlord either of these men or had something to do with some land and had received some rents, had his rooms fired into and his windows broken.

On the 25th October 1881 Thomas McMahon was shot dead in an outhouse, because he was suspected of telling the secrets of either the moonlighters or the Land Leaguers.

In the same month a further attempt was made to injure Mr. Bentley by firing at him as he and his wife were travelling over a public road.

I was a little out of order of date there, because when I had dealt with the case of Mr. Enright, I spoke of all the labourers who had been employed for him and the persons who had watched his farm and been shot, which took me on to a later date.

My Lord, there are other instances of firing and shooting at the end of 1881, which have not sufficiently characteristic features to make it necessary for me to mention them, but I now wish to mention to your Lordship the case of a man named Perry which runs over the years 1881 and 1882. It is connected also with the murder of a man named Michael Moroney, which took place on the 25th February 1882.

Perry was a landlord, and had been on perfectly good terms with his people, but in the early part of 1881 he could not get any rent, and accordingly acting, partly for himself and partly for other people, he took steps to issue processes to recover some of the rent. On the 25th March 1881 his house was fired into. On the 10th April 1881 a Land League meeting was held at Feakle, near a place where Mr. Browne, who was one of the persons for whom Mr. Perry was agent, happened to have property. At that meeting, and at a meeting in the month of May, land-grabbers were denounced. In the month of January 1882 this notice was circulated with reference to Perry:—"Boycott Perry; have nothing to do with Perry, or by the Immaculate Jesus I will cripple his worthless existence, that I will. Be aware of Moonlight, or by Christ of Heaven his body will burst by Captain Starlight and Tan Brun also." Then No. 2. "Boycott Perry. Pay no rent. Any person having anything whatsoever to do with the infernal sceptical ruffian, Charley Perry, will get the contents of the Captain's brain breaker. Look out. Captain Moonlight." No. 3. "Take notice,



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“ any person working by or selling for the Perrys, the infernal bastards of  
 “ Tan Brun, I pledge myself before Christ that I will let his blood flow at no  
 “ distant date.” And on the 19th February this notice was put up :—“ Any  
 “ person coming to pay rent to that son of a boor Perry, or coming to settle  
 “ with him in any way, I am still thirsty for their blood, so by the God of  
 “ Heaven do not be the cause of my coming from Templemore, or if you do  
 “ I will pay the rent for you to the last farthing, and ye land jobbers that  
 “ are in the habit of buying the grass in the lands of Newgrove, clear out on  
 “ the first day of March instant, or by the Immaculate Jesus I will clear ye  
 “ out. Clear out, clear out. Captain Moonlight.”

Now at this time, my Lords, in the month of January and February 1882 one of the Ladies' Land League organizers, a Miss McCarmick, was travelling through the district, and advising the tenants not to pay any rent. In the early part of the same year Michael Marony did pay his rent, and on the 25th February 1882 Michael Marony was fired at and wounded, and died within seven or eight days. Another man of the same name in the same neighbourhood was stabbed in the legs because he did not answer the question as to whether or not he had paid his rent, and five or six other men were all threatened at the same time with violence, because either paid their rents or were suspected of having paid it. Of course I do not wish to repeat my Lords, but one wonders by what evidence it could be made to appear that Land League representatives in this district were persons who had some *bonâ fide* constitutional work to perform who were carrying out some purpose which was not connected in any way with the actual acts which were undoubtedly carried out by those who were inspired with the conduct they were guilty of at the meetings to which I referred. With reference to the county of Clare there are one or two other cases with regard to which I will summarise the character of the evidence which will be laid before your Lordships. On the 25th January of the same year, 1882, John Lemaire was shot dead. He was a caretaker for Mr. Marony who was being rigidly boycotted. Mr. Lloyd, the resident magistrate, was fired at on the 12th February of the same year, and so far as I know, the only offence which Mr. Lloyd is said to have committed is that he did his duty as a resident magistrate. There were two or three other instances in the beginning of 1882 of outrages by firing into a person's house. One of those I think will turn out to be a very remarkable one, there being absolutely no doubt that the defence of the person who committed the offence was undertaken by the Land League, and in his case as well as in other cases of the same character the advice given or the promise made by Mr. Biggar with reference to the defence of the prisoners, was performed.

Sir C. Russel.

Have you the name?

*The Attorney-General.*

I cannot give the name. He was an Army pensioner. I have the particulars of the outrage and the name of the writers who will prove it. My impression it was some name like Connell, but do not take it at the present moment because I am not absolutely certain that I am correct in giving you that name.

I propose now for the short period of time that is at my disposal this afternoon to go back to the story, so far as it will be laid before your Lordships, after the autumn of 1881. In the first place, though I have not been able to confine myself absolutely to the years 1881 and 1882, I have shown your Lordships what was the character of the work that was being done under the Land League and at the instigation of the Land League, and what was the character of the speeches which were being delivered at the Land League meetings down to the month of October 1881, and down to the time that Mr. Parnell was confined in Kilmainham. Later on, as I have already once, or more than once, told your Lordships,



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I shall have to refer to the speeches delivered in 1885 and 1886, and to the outrages which followed those speeches, and to show your Lordships that what was stated in "Parnellism and Crime" was true, namely, that the same kind of work was being carried on under the subsequent so-called organization, the National League. From the month of October 1881 down to the month of May 1882 Mr. Parnell was in Kilmainham. Your Lordships must not suppose that there was no communication with Mr. Parnell during the time he was in Kilmainham. In connexion with a document to which I shall have to refer in the course of a very few moments, it has been suggested—I do not know whether it will be suggested again—that there was a difficulty in documents being got out of Kilmainham. I think it will appear as a matter of fact that there was not the slightest difficulty in documents being got out of Kilmainham. In the first place the No Rent Manifesto, that document which was signed by Mr. Parnell was got out of Kilmainham. It appears from the statements of the followers of Mr. Parnell himself by the action of Dr. Kenny, for I think a testimonial was afterwards got up and given to Dr. Kenny for the part he had played in getting the No Rent Manifesto out of Kilmainham, but that is by no means all. In the course of the trial of "O'Donnell and Walter," I may remind your Lordships that a letter was produced from Mr. Parnell to Mr. O'Donnell, which came out from Kilmainham, and which the Governors, the officials, and the warders had never seen, and if it be the subject of dispute we shall bring evidence before your Lordships to show that documents were freely passing from those who were inside to those who were outside. Nay more, communications have appeared in the public papers, for during the time that Mr. Parnell and his other associates were in Kilmainham, "United Ireland" was published in Paris. Egan was still in Paris, Mr. Campbell was in Paris for a considerable portion of the time, and matter went over to Paris possibly written by William O'Brien, or at any rate communications were made by him when he was in Kilmainham, which subsequently appeared in the paper "United Ireland." I mention that at once, because one of the reasons which has been suggested as a ground upon which your Lordships are to assume that certainly one document, to which I am going to refer, is a forgery, is that it was impossible for such a letter to have got out, the Governors must have seen it, and therefore it is impossible for any such letter to have been written. Before I come to this letter I have to describe it to your Lordships, as well as I can, what was passing with reference to the Land League and its operations in the autumn of 1881 and the early part of 1882. I have already told your Lordships that the Ladies' Land League took the place, so far as ordinary organization was concerned, of the Land League; its meetings were held, it had control of the money, and to a certain extent the records of the Land League, and was supposed to carry on its work. There was also started, or in existence, an English branch of the Land League, of which Frank Byrne was the secretary or treasurer. Frank Byrne, a name of which your Lordships will hear a great deal, has not been in England, as far as I know or in the United Kingdom since the month of February or March 1883. Egan, who was the treasurer of the Land League, has also not been in the United Kingdom, as far as I know, since the month of February or March 1883. Both these gentlemen have been in America, and in connexion with their being in America, in close association with them, there are several other names to which I shall have to call your Lordships' attention when I deal with the American part of the case.

Now, my Lords, what was Egan doing. I think you will have no doubt that Egan in Paris was arranging for the carrying on of the work of the Land League, and providing the funds for that purpose. He was still the treasurer of the Land League. It will probably be proved before your Lordships that a very considerable sum of money had been transferred to Paris, but be that as it may, Egan, the treasurer of the Land League, one of the persons charged, and against whom most serious charges are made in the passages in "Parnellism and Crime," was in Paris at that time, and was



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carrying on the work of the League in the same way that he had been carrying it on from the time that he left Ireland.

And here again I would remind your Lordships that Egan left and went to Paris in the early part of the year 1881, shortly after or about the time that Sheridan had been arrested.

I shall put in evidence before your Lordships some documents passing from Egan, and I shall ask your Lordships to draw your own conclusion as to what those documents mean.

*The President.*

You have given two dates for Egan's leaving, 1883 and 1881; which is it.

*The Attorney-General.*

1883 was the time when he left for America. 1881 was the time when he left for Paris. He was back in England, I believe, at some period between 1881 and 1883. He finally left in 1883. He practically left, so far as the work was concerned in the year 1881.

I shall explain to your Lordships what happened which caused him to leave in 1883. Statements were made by the informers with regard to the Phoenix Park murders which caused more than one person to leave England or to leave the place where he was and to go to America.

*Sir Charles Russell.*

Including Egan.

*The Attorney-General*

Including Egan.

Now on the 25th October 1881 Egan wrote from Paris this letter to James Carey, "I have by this post sent M. 200l. He will give you what you want. When will you undertake to get to work and give us value for our money. I am, faithfully yours, Patrick Egan.—James Carey, Esqre." I do not know my Lords whether that letter will or will not be said to be a forgery. If so it is another instance of somebody's signature, or in some instances, handwriting, being most successfully forged. But if that letter be genuine, what does it mean? I think there will be no doubt that "M." refers to Mullett, and if that letter be genuine it will be Mullett who was concerned in the Phoenix Park murders. Who was that letter written to? It was written to James Carey. It seems to me impossible to reconcile the contents of that letter with any innocent or honest purpose. It in plain language indicated the object for which that money was intended. Be that as it may there is that letter; it will be placed before your Lordships, and when at the end of this case we come to consider what was the position of Egan, and for what purpose he could have sent such a sum as 200l., and taking what was going on, I should be able to criticise any suggestion that may be made, that it was sent for such a purpose. He no doubt was intimately connected with Carey. I shall bring before your Lordships, as not having a direct bearing on very important matters in this case, but as having a very direct bearing on the question of handwriting, other letters that passed at the same time between Egan and Carey. I do not stop to read them at the present time. The dates are the 9th of November, the 27th of November, and the 20th December 1881.

There is one important fact in connexion with those letters which I wish to mention now in the course of my opening. I stated in the case of *O'Donnell v. Walter* that these three letters which were found in the house of James Carey—that in the case of one of them the body of the letter was in the handwriting of Campbell. I had no instructions at all at the time, as will appear from the statement, as to whether Campbell was in Paris, or not. It will turn out, my Lords, upon the evidence which I shall be able to put



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before you, that Campbell was in Paris at the time that letter was written, and that Campbell appears to have acted in that particular case as he did on other occasions, as the secretary for persons with whom he was connected, originally having been connected with the Land League. I only refer to the matter for the purpose of at once setting before your Lordships the whole extent we have been able to identify and prove handwriting. Having got genuine specimens of Campbell's handwriting, having got the undoubted letter that he wrote to Quinn respecting the Land League books in October 1881, but a few weeks before, and being able to compare that with the specimens of handwriting without any knowledge as to whom it was supposed had written the body of the letter, which is not signed, the particular letter that was signed by Egan, but the body in a different handwriting, those who were advising "The Times" in the matter of handwriting, detected it as the handwriting of Mr. Campbell—does your Lordship wish to know where they are printed?

*The President.*

Yes.

*The Attorney-General.*

I think you will find them on page 95, the letter with reference to the 200*l*. is in the middle of page 95, the three letters with reference to the municipal election, the letters of November, are on page 96.

Of course, my Lords, it is perfectly possible for Mr. Egan to have been acquainted with Carey, and yet not to have known what Carey's antecedents were, or what Carey's conduct was likely to be, or with whom he was mixed up in England. That your Lordships will have to consider very carefully after you have heard all the evidence in this case with regard to what was being done at this time.

I am passing in order to keep it absolutely distinct everything that was occurring between the American branch and the English branch at this time. I merely mention that in connexion with this period to which I am referring. There will be some important matters which occurred on the other side of the Atlantic, with which some of the prominent members of the Land League in Ireland were undoubtedly connected; but I pass at once, my Lords, to the next document which we shall put in evidence before your Lordships, and it is one which has given rise to a suggestion by my learned friend that is a forgery. Your Lordships will find it printed on page 97, from Kilmainham. I think there is no address, but if I remember right. "Dear E.,—  
"What are these fellows waiting for; this inaction is inexcusable. Our best  
"men are in prison, and nothing is being done; let there be an end of this  
"hesitancy; prompt action is called for. You undertook to make it hot for  
"old Forster and Co.; let us have some evidence of your power to do so.  
"My health is good, thanks. Yours very truly, Charles S. Parnell." At the present time I am not able to state before your Lordships in whose handwriting the body of this letter is. In all probability before the end of this case your Lordships will have an opportunity of forming your judgment as to whose handwriting the body of the letter is. To the particular expression in it I do not attach any great importance. It does not seem to me it would be fair or right to assume that the expression "Make it hot for old Forster and Co." of necessity meant any outrage upon Mr. Forster himself, because it was not an expression which had undoubtedly been used by Parnell in connexion with other matters, previously, and may well have referred to what I may call general outrages—outrages which would [embarrass] Mr. Forster—outrages which would impede the Government of which Forster was the representative. But it does not seem to me at all necessary to suggest, and I for one have not the least wish to suggest anything that is not necessarily involved in any language used, nor to press any particular matter one bit further than it ought to be pressed, and, my Lords, there is another reason for saying that with regard to the know-



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[Continued]

edge of Mr. Parnell of what Egan was doing, of what Egan had done, and of what had been done in the past years by the Land League and its representative, after what I have detailed before your Lordships already I think you will have no doubt that Mr. Parnell was sufficiently acquainted with everything that was going on. I do not believe it to be possible for Mr. Parnell to state in such a manner that he would be entitled to credit, that he was wholly ignorant of what had been done in past years by the direct representatives of the Land League, and that being so, this piece of connexion with Egan whatever it may have meant, is only one incident in connexion with the whole story whereby intimate relations between Mr. Parnell and Mr. Egan are established. Then again, my Lords, as I said early yesterday, of course it relates solely to Mr. Parnell, and possibly to the other persons who wrote the body of the letter which he signed. It has nothing to do with Mr. Matthew Harris or Mr. Harrington, or Mr. Biggar, or these other persons against whom we may have made and against whom we repeat exactly the same charges which have been formulated in the particulars of the charges which we make. My Lords, there are matters in connexion with the ink of that letter and in connexion of certain parts of the handwriting as to which I abstain from comment, as it would be improper for me to comment on that at the present time; but all I can say is that "The Times" newspaper believed it to be a genuine document, and they will put before your Lordships full explanation with regard to the letter so far as they are concerned, if they possibly can, every circumstance in connexion with that letter, the way it was obtained, and the circumstances under which it was obtained will be explained.

I am perfectly aware that it has been threatened over and over again in the course of these proceedings, and of every possible opportunity, the word "forgery" has been used for the purpose of suggesting that these letters are not genuine. My Lords, all I can say is this, your Lordships will have very ample opportunity before the end of this case comes for investigating and examining on which side the truth lies in that respect. I am not at liberty at the present time, nor should I even if I was at liberty, mention more names to you. In all probability, long before the end of this case, all the names of the persons connected with the way in which those letters were obtained, and the circumstances under which they were obtained, will be explained to your Lordships. But for reasons which are obvious, I decline at the present time to make any further statement as to the persons from whom, or the way in which the letters were obtained; the sum of money which was paid for the letters will in no way be kept back from your Lordships. Of course it is ridiculous to suppose, and no one does suppose, that "The Times" could obtain from persons who would be willing to give up documents, letters, without paying for them; and if there be anything which throws any doubt upon the authenticity and genuineness of the letters, that is a matter your Lordships will consider in the most careful way. But this I may be allowed to say, not one penny was paid, not one penny was promised, and no bargain of any sort or kind, until the documents had been for months in the hands of "The Times," and had been examined by perfectly independent persons, and the handwriting tested by undoubtedly genuine specimens of Mr. Parnell's handwriting. The documents were, I repeat, examined by impartial persons, and examined with a view to test their genuineness before any use of any sort or kind was made of them, or any promise with regard to any remuneration to be given for them was made. But one observation I may as well make now upon the subject of this letter to avoid repetition when I come to a later letter. It is said in connexion with this letter and other letters that you have instances in the handwriting of Mr. Parnell in which the signatures of Parnell are wanting, and explanations have been given by Mr. Parnell, not altogether consistent, but certain explanations have been given—reasons put forward from which the conclusions are to be drawn that the letters are not in his handwriting. With every one of these suggestions, if they be repeated in the witness box under the sanction of an oath—with every one of those suggestions we shall be prepared to deal by the production of genuine specimens of handwriting which will enable your Lordships to judge whether the minute criticisms which have been administered to the signature by those who



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[Continued.]

have doubted their accuracy are worthy of much weight; having regard to the presence or absence of which (as the case may be) of the particular features which is undoubtedly the genuine writing. Your Lordships are perfectly aware, in regard to this part of the case, I have dealt, I am afraid, at greater length than in the trial of *O'Donnell* and *Walter*. I have indicated it is highly probable that the circumstances under which, and the persons from whom, and the way in which the letters were obtained in the course of this trial will be laid before you, so that your Lordships will have an opportunity of investigating the whole matter. With regard to what the letter proved, it proves nothing more than this, that there were the most intimate relations between Mr. Parnell and Mr. Egan, and there were the most intimate relations between other gentlemen, whose names are mentioned in the particulars, and Mr. Egan. And, my Lords, whatever may be your Lordships' ultimate judgment upon the whole of this matter, you have got to deal with the allegations that are made in "*Parnellism and Crime*." You have got to deal with the real charges and allegations that have been made against the persons summarised as those charges are in the particulars, and referred to in the various passages which I have put down in writing, from which it will appear, as I have said, that the charge against Mr. Parnell is that he was from the beginning to end connected with the men who were carrying on these particular outrages, and that the forces by which he was working was supported by the support of the Land League, and it appeared that support could not have prevailed or been successful for effecting one part of the objects, which it had succeeded in effecting with regard to tyrannising over the inhabitants of Ireland. My Lords, of the other circumstances in connexion with the imprisonment of Mr. Parnell I have very little indeed to say. I have to detail to your Lordships certain incidents which have not been referred to in my opening in *O'Donnell* and *Walter* in furtherance of the view which I am now pressing upon your Lordships that there was an intimate relation between Mr. Parnell and those who had been actually organising the outrages. That particular part of the story I ask your Lordships to be good enough to let me postpone until to-morrow, because I do not wish to break in upon it, but I must utilise the brief period of your Lordships' time before the adjournment by just indicating to your Lordships what had happened prior to the month of May 1882, at which time the particular incident to which I am about to refer to-morrow occurred. Sheridan, as your Lordships have already been told, had been arrested. In the year 1881 he was released. After his release, and during the earlier part of 1882, he was in and about Ireland disguised as a priest, and there are letters I think to be put before you which will place it beyond all doubt that Sheridan was organising the outrages in the West of Ireland. Boyton was also organising outrages, or organising those men, which led to particular outrages, and which were followed by outrages in other parts of Ireland, particularly in Leinster. And whatever your Lordships' view may be as to the condition or ease with which communications passed upon one side of the walls of Kilmainham to the other you will, I think, have no doubt upon the evidence which I shall be able to lay before you that Mr. Parnell knew perfectly well not only that the outrages had taken place, not only that the outrages had followed in various parts of Ireland from the speeches that had been made by the representatives of the Land League, but knew the persons who had been mainly instrumental in the organisation of those outrages, and I particularly wish to make myself clear with regard to that matter. I have mentioned that Sheridan was one of the persons who was the chief organiser in the west, and Boyton was one of the persons who was the chief organiser in Leinster. I shall state to your Lordships the outline of the evidence from which you will come to the conclusion that there was the most intimate knowledge on the part of Mr. Parnell, not only as to what work Sheridan and Boyton had been engaged in, but also as to what their influence and power was. Davitt, my Lords, at this time was in Portland Prison. Davitt was not released until the 6th May 1883. The circumstances under which Davitt was released I shall also have to explain to your Lordships. My reason for mentioning it now is this, that



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[Continued.]

it will, I think, turn out that there was not any means of communication between Davitt and Mr. Parnell prior to Davitt's release on the 6th May, and when Davitt was released on the 6th May Mr. Parnell and Mr. Dillon went down to Portland for the purpose of seeing Davitt and had an interview with him before his release. Nay, my Lords, it will, I think, turn out that Davitt's release was postponed at the request of Mr. Parnell until he, Parnell, and Dillon had had an opportunity of seeing Mr. Davitt. I mention it now and I mentioned it this afternoon for this purpose. I have told your Lordships that Mr. Parnell had, as I on my instructions are prepared to prove, intimate knowledge as to what Sheridan had been doing and as to what Boyton had been doing during the time he was in prison and before.

It is no part of my case that Davitt in Portland had the same means of knowledge or information as to what had been the various parts played by the particular persons who were organising the Land League. In fact, my Lords, the only references that are made to Mr. Davitt in "Parnellism and Crime" are as to his connexion with Fenianism some long time before, and beyond a few speeches to which I have referred, in which Mr. Davitt undoubtedly did advocate the entire separation of Ireland from Great Britain, I am not aware that Mr. Davitt did take any active part in connexion with the organisation of Land League meetings. And certainly, so far as I know, on my instructions, with regard to this tyranny which operated upon the tenants—the poor men who are occupying the land—the poor men who are getting their daily wages as distinguished from persons who were in high political positions, so far as I know it was not apart from the views that were advocated by Mr. Davitt. I mention that because I want to bring this clearly to your Lordship's mind that the organisation which "The Times" attacked; that the organisation which "The Times" said was supported only by boycotting, which had its sanction in murder, was the Land League organisation, and that at the head of that Land League organisation was Mr. Parnell, Mr. Biggar, Matthew Harris, Brennan, Egan, T. Harrington, Boyton, Sheridan, Kelly, and a number of other persons whose names I have mentioned, but as far as I know Michael Davitt was not directly connected with the particular part of the organisation which carried on the agrarian agitation, as I have described it, during the years 1880, 1881, and 1882. I wish to make that statement clear to your Lordships, because it will leave me free to approach at once, when your Lordships meet to-morrow, the very remarkable circumstances which I shall be able to prove before you, and which show clearly Mr. Parnell was intimately acquainted with the way in which this conspiracy had been working, the persons who had worked it, and the effect that organisation had had upon the poorer members of the agrarian policy in Ireland.

Adjourned to to-morrow morning at 10.30.



“ *Uncorrected Proof.*”

SPECIAL COMMISSION ACT, 1888.

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3<sup>rd</sup> 108  
Day

ROYAL COURTS OF JUSTICE,  
PROBATE COURT, No. 1,  
Wednesday, 24th October 1888.

Sir C. Russell.

My Lords, I am even now in a difficulty about the matter of the application for discovery. My learned friend asked that it should be postponed on the ground that he wanted to make some answer to the affidavit. That is two days ago. I have not to this moment received the affidavit.

*The Attorney-General.*

In the first place it was not two days ago.

Sir C. Russell.

Yes.

*The Attorney-General.*

I beg my learned friend's pardon. I saw the affidavit which he had handed to my client the previous afternoon and yesterday morning. I stated an affidavit would be made, not in answer to it but in reference to it, and that affidavit has been made this morning. I have not yet seen the affidavit. There is a great deal to do. Mr. Soames will be here in a minute and bring it with him.

Sir C. Russell.

We have not yet seen it.

*The Attorney-General.*

You could not see it before it was made.

Sir C. Russell.

I do not know how to deal with the matter in the absence of the affidavit, but, my Lord, I will try to proceed in the absence of it. The copy will come in some time, no doubt. My Lords, the affidavit of Mr. George Lewis states this: “I am acting as solicitor for Mr. Parnell and other members,” and so on. This he states in the second paragraph. “That in addition to the letters which purport to be written by the said Mr. Parnell and which, he alleges, are forgeries, I am informed and believe that the Defendants or their solicitor have in their possession forged letters which are alleged to have been signed by Mr. Dillon, M.P., Mr. Biggar, M.P., and other members of Parliament, which said letters have not been disclosed either by the said Defendants or their solicitor.” Now, that is made the foundation for a further and better discovery, but in fact that affidavit is hardly needed, because the affidavit which was made in *O'Donnell v. Walter* by the Defendants John Walter and Edward George Wright puts the matter pretty clearly. They set out certain documents, and the first schedule of those documents consists of certain letters which have already been referred to, and they allege were signed by Mr. Parnell, certain letters of Egan which have already been referred to, one letter, I think signed Campbell, and then the columns of the “Times” newspaper, various pamphlets, and so on.



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[Continued.]

*The Attorney-General.*

And one signed by Byrne.

Sir C. Russell.

And one signed by Byrne. Then, my Lords, the second schedule to that part of the affidavit is the more important matter. "A bundle of papers contained in a box." Will you give me the affidavit?

*The Attorney-General.*

I will give it you in a moment.

Sir C. Russell.

But I want to see it now please, "A bundle of papers contained in a box and shown to us, and marked with the letter 'A.'" Your Lordships will have observed it says "A bundle of documents contained in a box." Even in an ordinary action where privilege is claimed, and not in an inquiry of this sort, this would not be sufficient. I do not know the number of documents in the box—but it is said to be a "bundle of documents in the box." The affidavit then says, "We object to produce the documents referred to in the first part of the second schedule"—that is the part I have just read—"upon the grounds that they are documents " which are obtained after the commencement of the action of *O'Donnell v. Walter*, and either by, or by the advice of, our solicitors, and for the " purpose only of being submitted to our solicitors for their consideration " and advice, to enable them to prepare and conduct and advise us upon our " defence to that action, and the conduct of our case before this Commission, " and which came into the possession of our solicitors solely for the purpose " of our defence in that action and in this case"—that is, the case before this Commission. "Many of these documents have been obtained by our solicitors " from witnesses on our behalf to refer to as part of our evidence, and for " the purpose of enabling our solicitors to advise us thereon. And generally, " we object to produce documents on the ground that they have come into " our solicitors' possession solely for the purpose of enabling us to prepare " briefs for counsel, and many of them form part of the briefs which are " prepared and instructions to our counsel for the purpose of enabling them " to advise us if they are material or should be used as part of our case, and " for the purpose of enabling us to conduct our case properly."

I say if that was an ordinary action that would be no answer at all. Your Lordships will recollect the doctrine of privilege does not extend to independent documents which have come into existence, but applies to documents which have their creation in the necessities of the case for the purpose of defence. That is the limitation; in other words, any original documents, such as these letters purport to be, the cases and instructions, and so forth, for the purpose of advising counsel, or for the purpose of a solicitor in advising counsel, are not privileged.

Now, my Lords, it stands thus: that they admit they have a bundle of documents, the number we cannot at all tell, because they merely refer to the box, and do not state the number. They merely say they have documents. They do not deny—on the contrary their affidavit admits them to be material in the case, and if, as the affidavit, which I have read, states those documents comprise letters which purport to be original letters of Mr. Dillon, Mr. Biggar, and others, then it is very important indeed, as bearing upon the very serious questions, the most serious indeed in this case, of the authenticity of the Egan and Parnell letters. I am at this disadvantage, I have not seen the affidavit until this morning.

*The Attorney-General.*

I will read it to you.



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[Continued.]

Sir Charles Russell.

I am very much obliged to my learned friend, but it is no trouble to me to read it. Mr. Soames says: "I have read what purports to be a copy of an affidavit of George H. Lewis in support of an application for further and better discovery of documents. That I received from a person in America certain documents which I believe are the documents referred to in the said affidavit, though I do not recollect any purporting to be signed by Mr. Biggar." That, therefore, implies, and, in fact, admits he has received others. "The said documents were, as I am informed and believe, handed to the said person by a person passing under the name of Roberts. Two of them were sent to me in the first instance, and I at once discovered that they were not genuine. The person who sent them to me discovered that the others were not genuine immediately he saw them, and on that ground did not forward them to me. He afterwards handed them to me when he came to England, and seeing that they were clearly not genuine, I considered they were in no way relevant to the matters in question in the action of *O'Donnell v. Walter* or to the present proceedings. I put them on one side as worthless and immaterial, and they have always been so regarded, and I do not believe that they were ever seen by my clients or either of them. I cannot say if all the said documents are in my possession now, or not, as I do not remember how many there were. Some of them are in my possession, but they were all received by me after the commencement of the said action, and only as solicitor for the said Defendants in the said action, and for the purpose of the said action."

Now that is Mr. Soames' affidavit, and is a perfectly fair affidavit, and one which I should expect from him; but it is important to see what he admits, and what he does not deny. He admits the possession of documents which were obtained by him, or in the interest of his client. He is proved to have forged documents as well as genuine documents. He admits they were. He says they were sent to him from America, and others were handed to him in England. He has not got possession of them; but he does not say what is the nature of the residue of the documents in the bundle or box, which he does not set out; but he says they were acquired for the purpose of preparing the defence in the action of *O'Donnell v. Walter*. If that were so, it is no answer on the ground of privilege, even if the doctrine of privilege applied to this case; but your Lordships will recollect the Legislature, in order to avoid any question of that kind—if the elucidation of the truth requires it—gave you power to order the production of any documents whatever; not merely the power of discovery, but express power to order discovery of any document whatever. I may refer your Lordships to the section of the Special Commission Act. Your Lordships will observe that in the earlier part of the section there are the ordinary powers given as to the compelling the production of documents; and then in sub-section 3 of section 2: "The Commissioners may, if they think fit, order that any document or documents in the possession of any party appearing at the inquiry shall be produced for the inspection of any other such party."

It therefore was something more, your Lordships will see, and it was intended to give your Lordships power to over-ride the question of privilege even if it existed. I do not think it will be disputed by my learned friend that I have rightly stated the doctrine of discovery. There are many cases on the subject, but the most important case is the case of *Pearce v. Foster*, decided in the Court of Appeal, and reported in the 15th Queen's Bench Division, the beginning of page 114. The important part of that is the judgment of the Master of the Rolls, which begins at the bottom of page 118. "It seems to me, therefore, that they fall within the class of documents with regard to which there is a professional privilege on the ground that they are brought into existence for the purposes or in the course of professional communications between solicitor and client. I do not think that where documents are already in existence, *ali unde*, the mere fact of their being handed to a solicitor for the purposes of the conduct of the action can



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“ create a privilege; but, where documents are brought into existence by a  
 “ solicitor or through a solicitor for the purposes of consultation with such  
 “ solicitor with a view to his giving professional advice or to the conduct of  
 “ an action, these are in the nature of professional communications, and are,  
 “ as such, privileged.”

Of course it cannot be said these were brought into existence; certainly it could not be said by the Defendants that they were brought into existence for the purpose of the defence of *O'Donnell v. Walter*, or for the purpose of their justification before this Commission. Whether they were brought into existence by some other persons, and for some other purpose, is an entirely different question. These are the grounds why I say we are entitled to have discovery and inspection of all these documents, unless there are other grounds to be urged.

Mr. R. T. Reid.

My Lords, I do not at all desire in any way to go over the ground my learned friend Sir Charles Russell has traversed, but I desire to fortify the arguments by other matter shortly stated. The Attorney-General himself, in the course of his speech, has furnished the most ample ground for this application. He has referred, for example, to one letter which was in existence, as he alleged, in the year 1881. It was an application on behalf of a moonlighter, who had been wounded, for compensation from the Land League, which he alleges and which he says was initialed by “J.F.”—Mr. John Ferguson, of Glasgow. That document is not set forth in the affidavit of documents, and I submit, my Lords, that is one of the most relevant document which can well be conceived, having regard to the nature of the opening of my learned friend. I respectfully claim a right to see that document and have it disclosed. Another matter is the books of the League and the bundle of documents which the Attorney-General referred to as having been handed to them by some person,—by a clerk of the Land League. Those documents were not created in any sense for the purpose of this litigation; but if genuine, which I of course know nothing, not having seen them—if genuine, they must certainly be disclosed in order to give these gentlemen the opportunity of stating our case, and if not genuine, they are still more material as showing matters of importance in another point of view. Again, there is another matter. The Attorney-General has referred to a variety of speeches which have been made in different places, and has not concealed, as one would not expect he would conceal, the fact that they are merely a few out of a great many speeches. The Attorney-General relies upon these speeches as affording evidence of some complicity of crime on the part of persons incriminated. There may be other speeches—he does not deny that there are other speeches—and I say that none of those speeches have been set forth in the affidavit of documents, nor any reference made to them, except that they are contained in the box mentioned in the schedule. The same is to be said about the books of the Land League; and, more than that, I think the Attorney-General referred—though I will not be certain about that, as I am trusting to memory—I think he has referred to some other correspondence; but it is sufficient for me, I respectfully submit, that the existence of these documents is admitted by Mr. Soames. They have been opened by the Attorney-General, not only as the material, but as the crucial and material document in the case of a variety of matters which find no place whatever in the affidavit of documents. And if they would be, as I respectfully submit, they would be discovered in an action between parties. Then how much more are they discoverable in an inquiry of this matter under this special Act?

The Attorney-General.

With regard to the substance of my learned friend's, Sir Charles Russell's, affidavit, I am not referring to that. I am not going to say anything about the jurisdiction of this court. Your Lordships have full powers, and if



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there are any documents your Lordships think should be seen by the other parties at the present time, I do not say one word as to any power or jurisdiction your Lordships may have to order it; but I want to deal with the substance of the matter first put before your Lordships by Sir Charles Russell; and I want to bring before your minds that this application with reference to certain other documents which Mr. Soames' affidavit shows are in his possession, not only could not possibly have been made in the course of an ordinary action, nor could it possibly be made but for some communication made to the Defendants, the particulars of which communication have not been disclosed. The affidavit made by Mr. George Lewis is remarkable. Of course I may be allowed to say everybody knows Mr. George Lewis is as expert a solicitor as there is in London; and what does he say? He says:—"I have been informed and believe that in addition to the letters which purport to be written there are other letters in their possession which are alleged to be signed by Mr. Dillon, Mr. Biggar, and other members of Parliament." He does not pretend to say they are material. He does not suggest the least in the world, nor is there one line in the affidavit, or in the speech of his counsel, of their being material to any issue raised either in *Parnellism and Crime*, in the speech of *O'Donnell v. Walter*, or in fact in any part of the case which I have opened. All that is stated is, that for the purpose which some day your Lordships will be able to appreciate, that my clients are believed to have in their possession certain documents which are said not to be genuine. Now, my Lords, what does the affidavit of Mr. Soames say? The affidavit of Mr. Soames says that some person was attempting to play a trick upon either the "Times" or their representative, and somehow or another the information of that trick has been attempted to be played, has been communicated to Mr. George Lewis. In all probability in the course of this case your Lordships will learn by whom that communication was made, and from whom the original documents emanated. But I am bringing to your Lordships' mind that whatever may be the purpose of this application it cannot be for the purpose of assisting any issue that is raised in this case. The question of whether or not the letters which are alleged to have been signed by Mr. Parnell are genuine or not, is, so far as Mr. Parnell is concerned, a matter of very great importance. It was suggested just now by Sir Charles Russell that it was the most important issue in this case. I think I made clear to your Lordships yesterday,—I trust that I did,—that when the substance of the real charge and allegations originally made in *Parnellism and Crime* are examined and are looked into, it is by no means the most important issue, and has no relation whatever either to acts of Mr. Parnell or to the other gentlemen charged. But, my Lords, be that as it may, how it can be suggested that the existence of documents, genuine or otherwise, alleged to be signed by Mr. Dillon, Mr. Biggar, and other members of Parliament not stated, to have come from the same source, not pretended by Mr. George Lewis—but "he is informed and believed" that they are coming from the same persons from whom, possibly, the Parnell letters were obtained, simply for the purpose of suggesting that the "Times" are in possession of some documents not genuine. This application is made, my Lords, with regard to these documents being seen. I have no personal objection if your Lordships think that they should be seen. My clients have not the smallest objection, but with reference to this being made as an application because my clients had not disclosed the documents that were not material either to the action or to this proceeding, I respectfully but emphatically protest. They have not even dared to put into their affidavit the one statement which must be put in, namely, that the documents are material to the question to be raised. Now, as to the next point, they are referred to by my friend Sir Charles Russell in the affidavit of *O'Donnell v. Walter*. I respectfully differ from him when he suggests that my clients have been guilty of some breach of the ordinary practice in the way in which they claim privilege. All I can say is, from some recollection now of the past, I remember numbers of instances in which documents have been referred to as



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[Continued.]

in a bundle tied up and marked "A," or in a box, and it is somewhat strange that never until this moment has anyone suggested that this affidavit was not a perfectly proper one, although it was filed some days ago. But, my Lords, that is not all. This suggestion of an improper privilege claimed in an affidavit of discovery is started by Sir Charles Russell at the last moment, and not referred to in the affidavit or in the previous application. All I can say is that at the time of the affidavit being so prepared, we offered to put the documents into the box to be handed to the secretary of the Commission and to submit them to him in order that they should be gone into for the purpose of seeing that they were documents properly coming within the rule laid down. Now your Lordships dealt with that matter on the previous occasion. You said: "In addition to any grounds of privilege which may be made in the usual way by Mr. Graham's clients, the court will take upon itself to consider what documents it would be right should be produced for the inspection of Sir Charles Russell's clients, and for that purpose we shall upon these points upon which a difference arises exercise our own judgment, and in order that that power which we desire to reserve for ourselves should be preserved intact, we do not require the schedule which will be made by Mr. Graham's clients to be made in such shape as to disclose anything as to which they desire to raise a question before us. They will schedule their documents in such a way as will not disclose by the scheduling that which they desire to have our opinion upon with regard to the fitness of producing the particular document—as for instance, to give an illustration—documents, as is usual in these cases, obtained by the solicitors for the purpose of litigation. Well, that would be a head of privilege; and so any other ground of objecting to producing certain documents may be specified by Mr. Graham's clients." My Lords, Mr. Soames, who is responsible, in his affidavit had, of course, to decide what were material and what not material, and I need scarcely repeat the observation I have made that having regard to the main charges I opened here—this particular charge, the possession of a hundred other documents which had no relation to the particular documents in question or the particular issue in question could not be material. Now I will ask your Lordships to let me read Mr. Soames' affidavit. I am not quite sure your Lordships were able to follow what Mr. Soames said, and, therefore, I respectfully ask to read it again to make it quite clear. "I received from a person in America certain documents which I believe are the documents referred to in the said affidavit, though I do not recollect any purporting to be signed by Mr. Biggar. The said documents were, as I am informed and believe, handed to the said person by a person passing under the name of Roberts. Two of them were sent to me in the first instance, and I at once discovered that they were not genuine." Now, my Lords, how could the possession of those two documents, which Mr. Soames swears he at once discovered not to be genuine, have any bearing upon the allegation of whether another document was genuine? "The person who sent them to me discovered that the others were not genuine immediately he saw them, and on that ground did not forward them to me." Now, my Lords, how could the documents, which the agent of Mr. Soames, or whoever was so acting, discover them not to be material? "He afterwards handed them to me when he came to England, and, seeing that they were clearly not genuine, I considered they were in no way relevant to the matters in question in the action of *O'Donnell v. Walter* or to the present proceedings. I put them on one side as worthless and immaterial"—I ask your Lordship to notice this—"put them aside as worthless and immaterial, and they have always been so regarded, and I do not believe that they were ever seen by my clients, or either of them." Now, my Lords, I think they are reasons why you should not order the documents to be seen, although personally on behalf of my clients I have no objection to their being seen; but it may probably be desirable until we know or have the means of knowing from whom Mr. George Lewis received the information with regard to the time the particular document should not be seen, but I leave that entirely in your Lordships'



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hands ; but with reference to the application for further and better discovery of documents on these materials, I point out that they have no relevancy to the issue, and it is not pretended that they have.

Now, with regard to my learned friend Mr. Reid's application, it is solely unsupported and entirely novel.

Sir C. Russell.

It is the same application.

*The Attorney-General.*

If it is the same application the affidavit does not deal with it in any shape or form.

Sir C. Russell.

Because we only knew of it yesterday.

*The Attorney-General.*

However, I will deal with it. My friend is asking that he should see the proofs of my witnesses. Every one of these documents has come into the possession of the "Times"—I am obliged to state this because the statement made by my learned friend Mr. Reid now—that every one of these documents has come in possession of the "Times" in the course of this litigation, and for the purpose of this litigation. Let us take the case of the speeches. Did your Lordships ever hear of the speeches, which are the proofs of the witnesses, and will have to be tested by cross-examination, that my friends could have the proofs of the speeches. He says we have some other speeches. He has exactly the same opportunity of referring to them as we have, but, more than that, my learned friend bases his application on some observations audibly made by Sir Charles Russell, that there were other meetings which I regret I had not got and was not able to prove the reports of the speeches ; but, my Lords, it never has been the practice either in the ordinary course of law, and ought not to be in this tribunal, that the speeches which are the proofs of the witnesses of the facts which we attack should be given. My Lords, with regard to the other document, such, for instance, as the letter of Timothy Horan, that is a document, part of the proof of my case, and I, with very great deference, submit to my friend that I should like to know what affidavit they would urge they had in writing to see such a document as that ; but as a matter of fact, that document is one of these documents in reference to which privilege was claimed in the affidavit of Mr. Soames, or whoever made the affidavit in *O'Donnell v. Walter*, and claimed by the affidavit of Mr. Soames in these proceedings ; and it is because it was exactly one of these documents referred to by your Lordships, as being distinctly one of the documents, you did not wish to prejudge the matter, it being one of the documents obtained for the purpose of litigation, it being brought by a witness, whose name, of course, was not disclosed until it was necessary to put him into the box, and we have no affidavit respecting it ; and, I respectfully submit, my friend has no right to see it. And I submit, no case has been made for a document referred to in the course of counsel's speech which he proposes to use. It is simply a part of the proof of the case. My friend says he was entitled to see the document because it was initialed by John Ferguson ; but my observations with regard to that, was not the document, but the fact, which is proved by the existence of the act done with reference to the speech made ; but the whole of that class of documents comes within the practice which, I submit, has never for years been varied, that proofs of the statements and documents obtained from witnesses, or in the course of getting up the litigation, always has been privileged, and is not to be seen by the other side. My Lords, the particular document referred to in *Pearce v. Foster*, when you came to look at that, it was with reference to a certain specific class of documents, if you will kindly



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notice how the question arose. "The action was for wrongful dismissal of a clerk. The statement of defence, among other matters, justified the dismissal on the ground that at the time of his engagement by the Defendants as their principal clerk, the Plaintiff had been and was unknown to the Defendants engaged in carrying on the business of a speculator on the Stock Exchange, and the Plaintiff knowing, as the facts were, that it was against the interest of the Defendants to employ, and that they would not employ, as their principal clerk a person carrying on such a business, concealed all knowledge of the same from the Defendants, and continued to carry on such business, and left the Defendants in ignorance of the fact that he had been seen or was engaged in carrying on such business down to the 1st August 1884, when they first became aware thereof, and it being then, as theretofore, against the interest of the Defendants to have or continue in their employment a person carrying on such a business, they dismissed the Plaintiff. The Defendants applied for and obtained an order for discovery of documents by the Plaintiff. The affidavit of discovery made by the Plaintiff under such order stated that the Plaintiff had in his possession or control the documents relating to the matters in question in the action set forth in the first and second parts of the first schedule thereto, and that he objected to produce the documents set forth in the second part of the said first schedule, on the ground that they were privileged. Among the documents set forth in the second part of the schedule were documents which were described as 'the papers of my counsel and solicitors in an action in the Chancery Division between me, the above-named John Pearce, Plaintiff, and William Detmar, Defendant, the said papers consisting of my counsel, instructions to my counsel and solicitors, and other papers dated or written after the commencement of the said action or in contemplation of, or in, and for the conduct thereof.'"

And the sole point decided there was that the document had been included and came into the possession of the solicitor during the time it was in litigation, if that was the document which the other party was entitled to see on other grounds, and did not prevent it being the subject of discovery. What application is that for documents?—which I am obliged to say, in consequence of the statement of my learned friend, Mr. Reid, have come into possession of the solicitor in getting up the case? If my learned friend desires to make a substantive application with regard to what he describes as Land League papers, I desire that it should be put in a formal way, and the grounds upon which he desires to see them should be stated to your Lordships, and I shall then be able to answer on affidavit in reference to it. He said I had books, but I said not one single word about having any books of the Land League in my possession, nor have I, as far as I know, seen anything which could be so described; on the contrary, I regret the total and absolute disappearance of the books of the League, and I will ask my learned friend to state anything in an affidavit which would justify such an application, but I respectfully submit there is no ground for the application made by Mr. George Lewis. And with regard to the other matter urged principally by my learned friend, Mr. Reid, I submit that my clients have performed the whole of their duty, and that most faithfully, in making discovery, and have included every document which was to be included, and provided by your Lordships' order, and I ask that if any further application for discovery is to be made, that an affidavit should be made, in order that I may have the opportunity of seeing it and knowing how to deal with it.

Sir Charles Russell.

It seems to me, my Lord, that my learned friend has expended the greater portion of his argument on a comparatively trivial and unimportant point, as to the affidavit. All I said about the affidavit was this, and I repeat it: That when privilege is claimed the rules of the court require that the documents in respect of which such privilege is claimed shall be in some way enumerated and not generally described, so as to identify it; that is a very immaterial point, and I do not complain of it. It was quite right for your Lordship to



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say, and we thought it was quite right that your Lordship should have said, that inasmuch as questions of inspection would arise, you would not require the documents to be set out with such particularity as would disclose their entire character. I make no complaint whatever about that. The substance of the application is that we shall be entitled to see these documents. My learned friend need not trouble himself so much about the period, and with regard to a statement my friend makes as to the allegations in the documents, I am surprised, I confess, at that statement, when on the face of the affidavit it is stated that these were forgeries, and in the opening of the case, before your Lordships on the original hearing, I called attention then to this very class of subject-matter. I said "So much with regard to the question as to the exercise of this jurisdiction." That was calling upon them to set out what documents they had in their possession. "I do submit that this is one of the strongest illustrations that could well be given of the necessity for the exercise of that jurisdiction. Here is a case in which on one side there are produced letters which are alleged to be genuine; those letters are on the other side denounced as forgeries; the statement that they have been bought by the "Times," who has been, or some of whose representatives it may be, have been imposed upon, in the purchase, surely it is of the greatest consequence and the greatest moment to know whether these documents which they have produced are a selection from a large number of other documents which may have been foisted upon them, or have been produced to them, or found their way into their possession, or whether those are all they have." My Lords, I could not add anything to what I submit is the force of that contention. Now let us see what Mr. Soames says of these letters. He says he "received from a person in America certain documents which, I believe, are the documents referred to in the said affidavit, though I do not recollect any purporting to be signed by Mr. Biggar." Who was this person? I am not asking my friend to disclose at this moment who he was, but I should have thought that they might have mentioned the name of the person from whom they got them. What do they say? They make it clear in the affidavit that this person was an agent of theirs in America, acting *bonâ fide* for them in the purchase or endeavour to acquire documents which they believe to be material to these charges, for the affidavit goes on: "The real documents were, as I am informed and believe, handed to the said person by a person passing under the name of Roberts. Two of them were sent to me in the first instance, and I at once discovered that they were not genuine. The person who sent them to me discovered that the others were not genuine immediately he saw them, and on that ground did not forward them to me. He afterwards handed them to me when he came to England, and seeing that they were clearly not genuine"—so that it is perfectly clear that it is not the case of some person foisting them on to the "Times," but it is the case of a representative of the "Times" acting in good faith, apparently as agent for the "Times" in America, getting these documents paying what price, or under what circumstances at present we do not know, and then there is a statement from Mr. Soames saying that these documents were not in fact genuine. The manufacture of forged documents in obedience to the market supply and demand! Can it be said it is not material to ascertain how many more there may be of other people whose names are not mentioned in these affidavits, neither Mr. Biggar nor Mr. Dillon, but there may be other forged letters of other persons. Surely it is material that the court should have every one of these documents before them, and the "Times" should help in that, as my learned friend says he is instructed to express his anxiety and his readiness to assist this inquiry to the utmost, so that the whole of the truth of this matter should be searched to the very bottom. What does Mr. Soames say upon this? Does Mr. Soames attempt to say they are not material? If he had thought they were not material he would have made no reference to them at all in the affidavit. If he did not believe them material they would find no place in the affidavit. But they do find a place in the affidavit then only because he believes they are material,



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He therefore only refers to them in his affidavit, and he claims privilege in regard to them.

*The Attorney-General.*

I beg pardon. There is no statement at all of that kind. My friend is absolutely misinstructed. They were not in the box, and they were not referred to directly or indirectly.

*Sir Charles Russell.*

I am at present in possession of the court.

*The Attorney-General.*

I am only correcting a mistake. It is never referred to directly or indirectly in any affidavit of Mr. Soames.

*Sir Charles Russell.*

Surely my friend is mistaken. It is in the affidavit in respect of which I have been addressing your Lordships.

*The Attorney-General.*

Will you kindly read it?

*Sir Charles Russell,*

I will. The affidavit of course is an affidavit of material documents. That is what they have been asked to discover, as material to the matters in the case. We have in our possession or power the documents relating to the matters in question in this Commission set forth in the first schedule hereto, and in the second part of the said schedule thereto. Now, my Lords, the second part of the schedule thereto is a bundle of documents contained in a box, which is produced and shown to me, and marked with the letter "A." What is the affidavit? Let me read it.

*The Attorney-General.*

Those letters are not in the box.

*Sir Charles Russell.*

What letters?

*The Attorney-General.*

The letters you are now asking to see.

*Sir Charles Russell.*

That makes confusion worse confounded. What was in the box?

*The Attorney-General.*

You said they were.

*Sir Charles Russell.*

Certainly, up to this moment I was under the distinct impression, and I thought everybody else was who had heard the discussion, that they were.

*The President.*

I never was under that impression.



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*Mr. Justice Smith.*

Nor I. It never has been suggested until Mr. Lewis started it, and then came Mr. Soames' answer.

*Sir Charles Russell.*

I was under the impression that in the bundle of documents in the box, not numbered, were these letters. If that be an erroneous one it must, of course, go by the board. Then the fact remains for your Lordships to consider whether these are or are not material. First of all, as regards these letters. I have already urged a ground upon which I submit they are clearly material. Now, as regards the rest of the matters—as regards the rest of the matters I do not know that I have appreciated what my learned friend's contention is. He has referred to them, and he has referred to them in his opening as material. He has referred to a letter, which is one illustration of many others, alleged to be from Horan, in Cork, to Kenny, I think, and another, of the Land League in Dublin.

He has relied upon that, amongst others, as material to them, therefore it would be hard to say that they are not, for the purposes of this case, matters which, as material, we are entitled to see; and let me remind your Lordships, lastly, that they are all documents, if they are genuine, said to be in existence as far back as 1881-82, years before the action of *O'Donnell v. Walter*, years before the present Commission of Inquiry.

These are the grounds upon which I submit we are entitled to the full discovery of this matter.

Now let me make one suggestion. We desire—I will not make professions, I will leave that to my learned friend—but I would suggest to your Lordships that if you have any doubt about this matter that you should yourselves see, not merely this bundle of documents, but these letters, and your Lordships should yourselves examine them, and examine them fully and thoroughly, and unless there be reasons which operate on your Lordships' minds as grave reasons why we are not to have them in the interest of truth and justice, I do not require that we should have them; then we must submit to your Lordships' judgment and ruling in the matter. But unless there exists some reasons in your Lordships' minds for that, then I submit we are entitled to have inspection and copies of every one of them.

*The President,*

I think it will be found that I made some observations in anticipation of some such proposal as has been made to-day. I understand distinctly from you, Mr. Attorney, that you do not object to our seeing these documents.

*The Attorney-General.*

My Lords, and more than that, I am perfectly willing that the whole documents and the whole contents of the box should be seen by you.

*The President,*

And I understand that is also your suggestion, Sir Charles?

*Sir Charles Russell.*

Yes, certainly. We claim of course what we conceive to be our right to see them.

*The President,*

I quite understand that. I can only say, speaking for myself, I am obliged to counsel for having made this suggestion, because I think it will lead to the best settlement of the discussion which has arisen. Although, no doubt, it is a very onerous duty to be imposed upon us, we accept it, and we will



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ourselves first of all examine the documents for which privilege has been claimed, and which are now enclosed in the box. Let me observe that this has only been done for the purpose of identification, and whether numbers are affixed to the documents or not makes no difference if we can be satisfied of their identity.

*Sir Charles Russell.*

I agree.

*The President.*

Therefore we will look at the documents. Then there arises the question as to certain other documents which it is admitted are not in the box. I suppose your consent extends also to them?

*The Attorney-General.*

Certainly.

*The President.*

Then we will look at all of them, and after having looked at them we will inform you of the result of our investigations.

*The Attorney-General.*

Your Lordships will probably name a time when it is necessary for the solicitor to attend your Lordships.

*The President.*

I do not think it is necessary for the solicitor to attend us in the first instance.

*The Attorney-General.*

I did not mean in that sense, but all the documents should be brought.

*The President.*

Let all the documents that have been referred to, or which you think are fairly included by description, be sent to us.

*The Attorney-General.*

I quite follow that. Some of the documents have not, unfortunately, been referred to. If your Lordship will indicate the time that they should be put at your Lordships' disposal.

*Sir Charles Russell.*

I should suggest that Mr. Soames should direct that the box should be placed in possession of the secretary.

*The President.*

The box marked "A" has already been put in the possession of the secretary; these had better be put into another box marked "B."

*The Attorney-General.*

Now, Sir Charles, you have a further application.

*Sir Charles Russell.*

My Lord, the further application is for the further particulars in relation to particular heads that I will now trouble your Lordship with. Your



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Lordship will recollect that this question of particulars was a matter a good deal in discussion at the preliminary meeting of this Commission, and on that occasion your Lordships, after hearing at a considerable length my learned friend Mr. Graham and also myself, came to the conclusion that you were bound to exercise your powers, and you used this language, that you were "bound to exercise your powers in the interests of justice and truth. The " first power of all is by learning what documents there are which may be of " use." That is the matter which had been discussed. And secondly, with reference to the question under consideration, that we should know what charges and allegations Mr. Graham's clients propose to give evidence in support of and against what persons he proposes to give evidence in support of those charges and allegations, and accordingly an order was made by your Lordships, which, as rendered in form, required the Defendants to give the best particulars in writing that they could of the charges and allegations made by the Defendants in the said action against any of the applicants, and that the Defendants propose to support by affidavit before the Commission, specifying, so far as they are able to do so, the names of the persons against whom the said charges and allegations are respectively made, and the charges or allegations, with dates of the offences, charged against each of such persons.

Now, my Lord, the particulars which have been delivered subsequently, I will not say in fulfilment, of that order your Lordships, I assume, are familiar with, and read in the light of my learned friend's opening so far as it has progressed. I think I shall be correct in summarising the charges and allegations thus: first a general allegation that all the persons who are scheduled in the affidavit were engaged in a combination, or organisation, or conspiracy, and therefore I gather from my learned friend's reading of the speeches, and the statements of the acts of obscure persons in remote parts of the country, that he proposes to ask your Lordships to attribute to each of the persons whom he has directly incriminated by name in the schedule all that any one has done in connexion with this combination, or organisation, or conspiracy. Of course that is a view which will be contested by us when an attempt is made to substantiate it or act upon it by giving evidence. In addition to that I find only two charges against any particular individual. I mean first of all the charges of making the speeches which are attributed to the particular persons who made them, and the charges against Mr. Parnell of having written the letters and pursued the conduct which is set out in those particulars.

I think I have correctly stated the effect of these particulars and the scope which my learned friend intends to give, as far as I can judge from his opening. I ask your Lordships' attention a little more closely to the form of these particulars and what we require. I said before, and I repeat, that we do not complain of anything that is in these particulars; we shall have hereafter to observe upon a good deal that is not in them. After setting out the various societies, forming, as it is said, one connected organisation, after alleging what my friend's clients say were the objects, it then proceeds to the mode of action and to say "the organisation was actively " engaged in the following matters, the promotion of and inciting to the " commission of crimes, outrages, boycotting, and intimidation, the collection " and providing of funds to be used or which it was known were used for " the promotion of and the payment of persons engaged in the commission " of crimes, outrages, boycotting, and intimidation, the payment of persons " who assisted in, were affected by, or accidentally or otherwise engaged in " the commission of such crimes, outrages, boycotting, and intimidation, " holding meetings and procuring to be made speeches."

First of all, I should make this preliminary observation. With the exception of what I have said, namely, the speeches attributed to individual members by having their names put opposite. and with the exception of the charge made against Mr. Parnell referred to in paragraph 14, I submit I am justified in saying that there is nothing in these particulars which will tell any one of these 65 persons whose names are set forth in the schedule what are the particular charges against him, what are the particular allegations



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against him. I, of course, have dealt with what I understand to be the general suggestions—that each member of the combination, or organisation, or conspiracy, may be affected by or may be taken to be guilty of what any the most obscure man did. But I am speaking specifically, and if your Lordships will favour me by yourselves casting your eyes over the particulars, I think you will find I am well founded in saying that with the two exceptions I have mentioned there is nothing whatever to convey to the knowledge of any one of these 65 Defendants what is alleged against him. I therefore want to know this: Are we to take it that the Attorney-General, representing the Defendants in the action of *O'Donnell v. Walter*, does not allege that any one of these 65 persons himself incited to outrage, was a party directly to outrage, or was a party directly to the application of funds for the purpose of outrage; or is their case simply and solely based upon the first general view that I have suggested? If it is, then of course we know where we are, but if it is not, and if it is intended to be alleged as against any one of these persons that he was a party by knowledge beforehand, and act of concert beforehand, or by connivance and complicity was accessory after the commission of any outrage, then I say the simplest rules of justice requires that that particular person should be told what is the outrage with which his name is sought in this injurious way to be connected.

Now, my Lord, your Lordship will observe, if you turn over the first page of these particulars, a very curious statement. I had better point my observations. For instance, “The organisation was actively engaged in the following matters: (1) The promotion of and inciting to the commission of crimes, outrages, boycotting, and intimidation.” Does he allege that any one member of these 65, beyond his membership in the association, did any of those things? If so, when? If so, what? The same as to the collection and providing of funds to be used for the promotion and payment of persons engaged in the commission of outrages. The same under head 3. Payment of persons who assisted in these outrages. Then again, paragraph 7, “Making payments to or for persons who were guilty, or supposed to be guilty, of the commission of crimes, outrages, and acts of boycotting and intimidation, for their defence, or to enable them to escape from justice, and for the maintenance of such persons and their families.” Against which of the 65 gentlemen, if any, does he make that allegation. This is rather curious; paragraph 8, “It is charged and alleged that the members of Parliament mentioned in the schedule approved, and by their acts and conduct led people to believe that they approved of resistance to the law,” and so forth.

Now, my Lord, the acts and conduct specially referred to are as follows. Your Lordship will therefore specially observe that the acts and conduct are not acts and conduct of persons guilty of crimes and outrage by direct action, but it is acts and conduct which lead people to believe they approved of resistance to the law, and so on. Then attending meetings and making speeches. I presume they may have the particulars of the speeches as far as these 65 persons were concerned. “They were parties to, and cognisant of, the payment of moneys for the purposes above mentioned.” What payments? What purposes? What dates? What particulars? Then paragraph 11 I need not trouble myself with. “With knowledge that crimes, outrages, and acts of boycotting and intimidation had followed the delivery of speeches at the meetings, they expressed no *bonâ fide* disapproval.” That, of course, is a negative. I need not trouble your Lordship. Then “with such knowledge,” and so on. That, I think, there are sufficient particulars of, perhaps. I think that is, perhaps, all I have to say. We require particulars under the heads that I have just indicated, directed against particular persons, if direct action is imputed to particular persons.

Now, my Lord, one other matter, and only one other matter. I have already intimated to my learned friend—I did on the first day—and to your Lordships that it seemed obvious from the scheme of these particulars that the Defendants in *O'Donnell v. Walter* thought they were not bound to give any particulars as regards the acts of other persons. I submit that we are



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entitled, especially in the opening of my learned friend, to particulars of the other persons against whom they are making allegations, and also of particulars of the acts that they attribute to those other persons. And, of course that becomes all the more important if my learned friend is to persevere in the suggestion which he has made, as I gather from his speech that responsibility was to be taken, to be shared by each member of the combination, or organisation, or conspiracy, whether he was shown to have himself been guilty of any direct or active action in the matter. I understand that one of the other persons, probably the most prominent person in the whole of this story, a person who was unquestionably the founder and the most active supporter of the Land League, I mean Mr. Michael Davitt,—I understand that he appears here, and has some application to make to your Lordship, as to which, of course, I will anticipate nothing. These are the grounds on which I ask your Lordship, in the interests of that truth and justice which my learned friend so frequently invokes, that we should have the particulars I have pointed out.

*Mr. R. T. Reid.*

My Lord, I only have to say this on behalf, not of Mr. Parnell, whom I do not represent, but the others. My friend has referred to all that has to be said about Mr. Parnell coupled with the others, but this refers to the others separate from Mr. Parnell. The scheme of these particulars is that from paragraph 8 to paragraph 14, inclusive, they deal with acts and conduct of individuals who are here charged, members of Parliament. I only desire to refer to paragraph 14. "When on certain occasions they" (that is to say the members of Parliament) "considered it politic to denounce, and did denounce, certain crimes in public, they afterwards made communications to their associates and others with the intention of leading them to believe that such denunciation was not sincere. One instance of this of which the said Defendants propose to give evidence, is the following letters." Then come letters from Mr. Parnell, by which, of course, the other persons are not affected.

*The President.*

You mean the other members?

*Mr. R. T. Reid.*

Your Lordship is right. I ought not to have said other persons, because they are specified in the particulars. Now all I have to ask is this, that if the other members than Mr. Parnell are said to have made communications of that character, that we should have some information with regard to what those communications are, in order to enable us to meet the case propounded.

*Mr. Michael Davitt.*

My Lords, I have an application to make. The application is that I be allowed to appear here at this inquiry, and to ask your Lordships to investigate the serious charges that have been made against me by the Attorney-General in the trial of *O'Donnell v. Walter*. These charges are contained in this quotation from the Attorney-General's speech.

*The Attorney-General.*

As far as I am concerned I have not only no wish, but there is not the slightest reason why Mr. Davitt should not appear.

*The President.*

I was going to say you are plainly entitled to appear. Of course we have nothing to do with the filing of the names of the persons who appear. You are quite entitled to do so, and I take it at once that you have a *locus standi*.



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*The Attorney-General.*

Your Lordship gives him leave. Leave is required under the Act ; therefore your Lordship will give him leave.

*Mr. Michael Davitt.*

My application, my Lord, then is that I shall be supplied with particulars of whatever charges are to be preferred against me here. Very serious charges are made against me by the Attorney-General in his speech before Lord Chief Justice Coleridge, and if your Lordship will permit me to read from that speech a few lines I shall be obliged.

*The President.*

You need not do that for the purposes of this application. I will at once say to you, as I said to another gentleman, you shall be put in the same position as the clients of Sir Charles Russell.

*Mr. Michael Davitt.*

I was simply intending to read it, my Lord, for the purpose of asking particulars.

*The President.*

I say you shall have whatever particulars Sir Charles Russell's clients have.

*Mr. Biggar.*

My Lords, may I formally give notice that I shall make a similar application with regard to particulars with regard to myself. Of course, Sir Charles Russell has made his application in a very much more able manner than I can hope to do, but simply as a matter of personal convenience to myself. Of course, the proceedings here are not like any of a very lively nature, and it would be very convenient to me if I could get to know, from the representatives of the "Times," what they really charge me with. For instance, among other things that I am charged with, along with 65 people, I am charged with influencing a number of newspapers. Some of them I have never read. I am also charged with having been mixed up with certain persons. A great many of them I do not know by name. I have never heard their names before, and the enormous majority I do not know personally. Then, of course, as regards these other charges to which reference is made by Sir Charles Russell, I think it is only fair that I should get to know which of these 14 charges the Attorney-General proposes to give evidence against me with regard to, so that I may have an opportunity of acting for my own personal convenience.

*The Attorney-General.*

My Lord, it is scarcely necessary to say that Mr. Biggar has put his point very clearly ; but I think he has probably forgotten that on the first occasion he was represented by Sir Charles Russell, and Sir Charles Russell then, on his behalf, applied for the order as to particulars, and the order was then made in the interests of Mr. Biggar that particulars should be given.

*The President.*

But I have been informed that Mr. Biggar has withdrawn his instructions to Sir Charles Russell.

*Sir C. Russell.*

Yes ; your Lordship will recollect I stated that I appeared for him only for the purposes of that occasion,



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[Continued.]

*The Attorney-General.*

Yes, I was only dealing with reference to Mr. Biggar and the fact that he wished to know what charges were made against him. I was pointing out that Mr. Biggar has been dealt with, rightly or wrongly, in the particulars which have been delivered.

Now, my Lord, I will deal at once very briefly with the substance of this matter. The first thing I ask your Lordship kindly to observe is this, that upon Monday I went through until I am sure I was weary of it, and I am sure your Lordships were too, a great many of the pages of *Parnellism and Crime* and of my speech, and I pointed out that these charges which have been summarised here were the charges and the allegations that were made, and without in any way fettering your Lordship's judgment hereafter, your Lordship was good enough to say that so far as I had gone I had sufficiently made out that the particulars represented the charges.

*The President.*

No, what I intended to convey was this, that you were justified in what I understood to be your contention, that the particulars represented charges and allegations contained in your speech.

*The Attorney-General.*

Exactly.

*The President.*

But I did not intend to deal either with their sufficiency or with the question whether there were not other charges and particulars which were not in.

*The Attorney-General.*

Certainly. I absolutely understood it, and I was merely intending to express in my own way the same thought. I was trying to bring to your Lordship's mind that that is how I understood the position. The question then is what are the charges of which we propose to give evidence; and those are, the charges which are included in our particulars. Now those charges are charges of conspiracy—those charges are charges of being party to conspiracy with wicked objects, and of, when those objects had been partly carried out, continuing to be members of the conspiracy and so acting; and to suggest that I am to give to your Lordship the particulars of each overt act which I may be able to prove in the course of this case would simply mean that I was to give to your Lordship the particulars of each specific thing to which each witness is going to speak. Nay, more, my Lord, may I respectfully point this out to your Lordship. The statement that we have made is this, that, with regard to the Land League, which is one of the principal conspiracies, no books of any sort or kind have been produced. An order for discovery was made, and I shall ask your Lordship kindly to note in your Lordship's order what the terms of the order were. The first was that Mr. Parnell and Mr. Biggar, and the other members of Parliament should "make and deliver to the secretary to the Commissioners  
" an affidavit stating what documents are or have been in their possession or  
" power respectively relating to the matters in question in this inquiry, and  
" stating as to such of the said documents as shall not at the time of making  
" such affidavits respectively be in their possession or power, when they last  
" were " and what has become of them. Then, that Mr. Parnell, Mr. Biggar, Joseph E. Kenny, Timothy Harrington, and Justin McCarthy—I read those names because they are five specifically named—"do on or before the  
" said 15th day of October next make and deliver to the secretary to the  
" Commissioners an affidavit stating what documents are or have been in  
" their possession or power, either alone or jointly with any other, and what  
" other person or persons of or belonging to, or connected with, or referring



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“ to, the Irish National Land League, the Irish National Land League and  
“ Labour and Industrial Union, the National League, the Irish Land League,  
“ the Ladies’ Irish National Land League, and the Irish Land League and  
“ National League of Great Britain, or the business transactions, money,  
“ property and effects of such League respectively, and stating as to such of  
“ the said documents as shall not at the time of making such affidavits be  
“ in their possession or power, alone or jointly, as aforesaid, when they  
“ respectively were last in their possession or power.”

Now, my Lord, of course it is impossible for me, at any rate it is not necessary for me to go through the whole of the affidavits of documents; but with reference to Mr. Parnell, who undoubtedly was president of the Land League, the contrary of that is not suggested by his counsel; he had his secretaries, his treasurers, and his agents. He says he has never had any documents at all. He does not make any affidavit with reference to the Land League. He says he has never had any documents at all except one letter addressed to him by Frank Byrne, dated the 1st of January 1882.

*The President.*

This is a sort of *tu quoque*.

*The Attorney-General.*

No, not quite, if your Lordship will forgive me for a moment. Now the question is what particulars I can give. My learned friend says your Lordship will order me to give now particulars of every overt act. My Lord, my case does not depend upon overt acts only. My case depends upon the fact of these persons attending at meetings, at which meetings certain things were determined to be done, and in consequence of what was then determined, acts then taking place. My Lord, to say I must give particulars of those charges would simply mean that I must give dates which cannot at the present time be in my possession, or be in my knowledge. All I can know is this, that certain members of the Land League (their names all being given, as I will show your Lordship presently) come down to the place and make speeches. The inference may be a correct inference or not (that is another part of the case), but from the conduct of those members certain acts, as we allege, followed. One case is, as your Lordship will see, that all the members whose names are mentioned in the particulars are responsible legally for what took place in consequence of the acts of the conspiracy. Now, my Lord, with reference to the overt acts as distinguished from that which cannot be specified, the full particulars are given. Every meeting at which the members were personally present, of which we propose to give evidence upon the particulars as framed, is specified. Every meeting is given, the date of the meeting, and the place of the meeting.

*The President.*

The attendance at a meeting, and a speech made at a meeting, of course, is an act done in furtherance of that which you allege to be an illegal conspiracy. You have given those particulars?

*The Attorney-General.*

Yes.

*The President.*

Well, I imagine that the nature of the application is this: If you have anything else besides which you can specify, then you are requested to do so.

*The Attorney-General.*

My Lord, with very great deference I am submitting to your Lordship that is the kind of thing I ought not at the present time to be asked to do, for the



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reason, and the main and principal reason, that that is simply stating the evidence which I am going to give in support of my charge of conspiracy. Let me take a specific distinct instance which I will only put hypothetically to your Lordship. Supposing at a Land League meeting it is determined that Mr. Matthew Harris shall go down and be the organiser in a particular place. Supposing at that particular meeting certain of these persons named were present, having of course no knowledge, or my clients having no knowledge, who were present at that particular meeting. At another meeting, where the report of Mr. Harris' work was brought forward, other members are present. I submit to your Lordship that to ask me to say now what persons were parties to each of the particular acts, would simply mean that I must either put down in a list the actual specific things which are going to be spoken to by my witnesses, or else your Lordship will fetter me in the proof which I wish to give respecting the part these members played in the conspiracy. It is for that reason, my Lord, I ask your Lordship to see how these particulars have been framed. Will your Lordship kindly bear in your mind only paragraph 9?

*The President.*

I have it before me.

*The Attorney-General.*

It is charged and alleged at paragraph 8 "that the members of Parliament mentioned in the schedule approved, and by their acts and conduct lead people to believe that they approved, of resistance to the law and the commission of crimes, outrages, and acts of boycotting and intimidation, when committed in furtherance of the objects and resolutions of the said societies, and that persons who engaged in the commission of such crimes, outrages, and acts would receive the support and protection of the said societies, and of their organisation and influence." My Lord, suppose it to be a standing order that all persons charged with shooting at a landlord should be defended by the Land League. It is utterly impossible for me to give particulars in the first instance of the persons who were present at that meeting. Nobody could give such particulars unless the Land League books were there, and supposing it to be the fact that time after time the persons were defended and Land League money was so used, the effect of these particulars will be, that my learned friend will say hereafter, "Where is this case in your particulars? You do not propose to give evidence." My Lord, it is simply because that particular class of information cannot be given by persons who have made the charge and allegation that we make. Take, my Lord, paragraph 9: "They attended meetings of the said societies, and other meetings at various places, and made speeches, and caused and procured speeches to be made inciting to the commission of crimes, outrages, boycotting, and intimidation." To keep to one case, Mr. Matthew Harris was employed to go down and make these violent speeches, paid, as I have stated to your Lordship, by Mr. Egan. Am I to give the dates of payments by Mr. Egan? I may know one or two of them accidentally; I do not know them all. How could I state at what dates or what time the payments were made? "They were parties to, and cognisant of, the payment of moneys for the purposes above-mentioned, and as testimonials or rewards to persons who have been convicted." The fact that they were in several cases parties, that moneys were paid, would be proved by not in every case proving the particular payment of which the particular individual knew, but by proving what was the daily practice of the League, which we shall submit to your Lordship these gentlemen either knew or cannot now be heard to say they did not know. Then again, "With knowledge that crimes, outrages, and acts of boycotting and intimidation had followed the delivery of speeches at the meetings, they expressed no *bonâ fide* disapproval or public condemnation, but, on the contrary continued to be leading and active members of the said societies."



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[Continued.]

Sir C. Russell.

I made no application about that, because I said it was a negative statement.

*The Attorney-General.*

“ With such knowledge as aforesaid, they continued to be intimately associated with the officers of the same societies (many of whom fled from justice), and with notorious criminals.” There we have given the names of the persons with whom it is alleged——

Sir C. Russell.

I have made no complaint of that.

*The Attorney-General.*

Will Sir Charles pardon me, I am pointing out to the Commission, who are kind enough to give me their attention, that where we were in a position to give the particulars we have given them; but, my Lord, if this charge is a clear charge and allegation made, if it be within the four corners of either my speech in *O'Donnell v. Walter* or of *Parnellism and Crime*, we have fulfilled the onus which was cast upon us. My learned friend, Sir Charles Russell, said, “ We wish to know whether we are going to be charged with inciting to any particular crime, with conniving at any particular crime.” My Lord, my charge and allegation is this: that you incited to and connived at and approved of a series of crimes; not one crime, but hundreds of crimes, and I ask your Lordship, putting it practically, dealing with the matter as a system, if (without repeating myself, I hope) I have shown that there was a system practised continuously during the years 1880, 1881, and 1882, whereby the edicts of the Land League or decrees of the Land League were enforced by the commission of crime. All I can say is you connived at every one of those crimes. Will your Lordship notice this. This application comes in the middle of my opening. They could not get up and say these particulars were not sufficient particulars. They could not get up and say they did not contain charges, but in the middle of my opening they ask.——

Sir C. Russell.

No. I made my application at the sitting of the court.

*The Attorney-General.*

I beg my learned friend's pardon; he will excuse me for saying so, he did nothing of the kind. He indicated to your Lordship on the first morning that he had two applications to make. He mentioned one as a matter of discovery, and wished it should be postponed till yesterday morning, when he told me there was an affidavit. But, my Lord, I am alleging that my charge is not that you, Mr. Parnell, knew that poor Raftery was going to be carded, or that John Feerick was going to be murdered, but that you yourself and your Land League Committee were parties to that system, and approved of that system, and allowed that system to be carried out, and after that system had been shown to have these effects, you went on doing exactly the same thing. Now, my Lord, that is the charge. I respectfully submit to your Lordship that unless I am to prove the whole of my case on paper in the first instance, unless I am to write down the whole of the evidence, or a summary of the evidence which each witness is going to give, and have objections taken afterwards, that I have not included this incident, or have not included that incident, I humbly submit to your Lordship I ought not to be caused to make any further statement. My position is this—as I humbly suggest—I am not the inquiring party. Rightly or wrongly the *Times* newspaper made certain charges; charges which had been made, as I shall have to show your Lordship later on, long before. They repeated



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certain charges. Your Lordship said the other day, "We think it right that you should indicate in respect of which of those charges you propose to offer evidence." But, my Lord, the duty of inquiry, as I respectfully submitted to your Lordship on the first day, rests with your Lordship and not with the *Times* newspaper. If I had gone out of this Court your Lordship could not have discharged the duty imposed by the Act of Parliament by going no further in the matter. The case has been considered so grave that the Legislature has thought fit to constitute a tribunal to inquire. I say again, notwithstanding the somewhat sneering observation of my learned friend, I do desire to put before your Lordship all the facts I can with regard to the matter. But, my Lord, information comes to us day by day with regard to matters of detail, and things that I could not have put in any particulars the day before yesterday, I might be able to put in detailed particulars of now. They are not particulars. They are proof of the charges that we make, and unless your Lordships think that I ought at once to disclose to my learned friend certain special instances in which we may be able to show what I may call more intimate connexion by some particular individuals than others, I humbly submit it would not be in accordance with justice that any further order should be made. Take the case of Mr. Parnell. Your Lordship has heard the strenuous efforts made by my learned friend, Sir Charles Russell, to allege that the only thing of importance in this case is whether Mr. Parnell wrote a particular letter or not.

Sir C. Russell.

I never said so.

*The Attorney-General.*

I will not deal with any interruption of that kind. Your Lordship has heard what passed. You will form your own judgment about it. Take the case of Mr. Biggar. Take the case of Mr. Harrington. Take the case of Mr. Matthew Harris. I have been in detail opening to your Lordship particulars of various acts of several of those gentlemen. My Lord, it is in accordance with what your Lordships intended, as what ought to be imposed upon persons in the position of the *Times*, that they should give further particulars as they may get information from witnesses who are from time to time obtained, who can give information of these matters or of any further acts. My Lord, I respectfully submit to your Lordship unless your opinion is that justice requires that my whole case should be put on paper before the Commissioners, that I am doing that which your Lordships intended I should do. I have stated in great particularity the charges I make, I have not said, you, Mr. Parnell, said "Let that man's cattle be shot; let that man's house be burnt." I have said "You, Mr. Parnell, did know that certain acts followed certain speeches. You approved of those speeches. You were party to further speeches being made." With very great deference I submit to your Lordship that of that kind of conduct no particulars can be given, and I humbly submit no particulars should be ordered.

My Lord, the only other thing I can urge with reference to this is, if my learned friend says, "You made charges in "Parnellism and Crime," which you have not now included in the particulars; you do not propose to give any evidence upon them," it does not at all follow that no evidence will ultimately be given upon them. But your Lordship directed my learned friend to give particulars as to the charges in respect of which we proposed to give evidence in the first instance, and your Lordship never intended, as I read your Lordship's judgment, that the inquiry should be limited by those particular instances that we were able to give. What your Lordships said to Mr. Graham was, "If you will honestly do your work, then we will endeavour to do ours afterwards," and we have indicated in the clearest possible way what we do allege. At present we are not to be bound to disclaim any other allegation, it is quite sufficient for my learned friend to deal with what we



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have put down when the time comes. When we wish to amplify those, or to do anything outside the particulars, then I think your Lordship will be of opinion that it will be sufficient for my learned friend to resist, if he can, any attempt of ours to extend the particulars. All I am now doing is laying before your Lordship the outline of evidence I propose to tender in support of the very specific and particular allegations I have made.

*Sir C. Russell.*

My Lord, I will not trouble your Lordship more than a moment or two. I am sorry it is inconvenient, as I am quite sure it is, that this discussion should take place in the middle of my learned friend's speech, but I would remind your Lordship, and my friend also, that I made the application at the very moment the Court sat.

*The President.*

I certainly understood you were postponing all your applications until the discussion came on which we are now hearing.

*Sir C. Russell.*

On the ground that my learned friend said there was an affidavit his client had not seen, and which they might desire to answer, the application stood over. My Lord, as regards the next point which my learned friend has made, namely, that particulars would be restricting the inquiry, and that we might be objecting hereafter if they gave evidence which was not in the particulars, speaking for myself and those whom I represent, and I am sure for my friends even, if we desired to pursue any such course, your Lordships would not allow any such course. If at any stage of this inquiry any matter comes to their knowledge which involves fresh evidence or a fresh charge, I am perfectly sure your Lordships (and we shall certainly not resist it) would think it right the particulars should be amended and enlarged so as to cover that. So much my Lord, for that.

Now I come to the pith of the matter. It is stated in a sentence. Either my learned friend's client is instructed that there are definite charges proper to be made against particular individuals of acts of incitement or of connivance with crime before or after the commission of that crime, further and other than mere membership in this association or organisation or conspiracy, or he is not. If my learned friend says that he has not any materials for any such specific allegation, my application falls to the ground.

*The Attorney-General.*

I say nothing of the kind.

*Sir C. Russell.*

If he has any evidence in support of any such specific allegation, then I say the very commonest notion of justice requires that we should be told by the advocate of truth and justice what those charges and particulars are. I will give an illustration. My learned friend referred yesterday to one case—the case of the unhappy murder of Mr. Herbert, and he, in his opening, sought to connect that murder, which occurred on the 30th March 1882, with a speech made, I think, at Knocknabull, in which he had been referred to, in the month of June 1881, nearly a year before.

*The President.*

Is that speech among the speeches which are referred to in the schedule.



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Sir C. Russell.

No, my Lord, that is just the very point I was going to call your Lordship's attention to. It is not alleged that a member of Parliament was present at the meeting, I am merely giving this as one illustration, many of which I might give your Lordship. My learned friend interrupted me, and I wish your Lordship to note it. My learned friend intended it should be noted; it was not an aside. My friend has intimated he is in a position to make such definite charges other and greater, and more specific, than mere membership in this organisation. Then I want to know why are we not to know what they are? I do not know any reason why the particulars should not be given, except that which I have dealt with, namely, that particulars might be supposed to be restrictive, if hereafter they have further charges. That I have dealt with, but in regard to matters which they now have in their knowledge, or which hereafter they may have in their knowledge, why are not they to give no particulars of the specific charges, in order that the persons incriminated in this very serious manner may have the opportunity of coming before your Lordship and dealing with it fairly and fully and cross-examine the witnesses, so as to understand what the position of things really is, and what was the state of affairs in the neighbourhood in which they alleged crime was committed, in order to see whether there were not other causes than these speeches which my learned friend refers to. My learned friend has put upon me that I have said that the only important or serious charge was the charge against Mr. Parnell in relation to the letters. I have never said so. What I did say and I repeat is that it is probably one of the most important charges, if not the most important charge in the whole of this matter, as it certainly is (therein I agree with my learned friend), the only charge which has any air of novelty about it, because I agree with my learned friend that this is, so far as a great part of the other general charges are concerned, a mere *rechauffé* of what was published and discussed years and years ago. But that does not relieve, I submit to your Lordship, this Court of the obligation, or rather the duty, I would respectfully say, and my learned friends of the obligation of showing so far as the action lies upon them that, as regards each of these 65 persons, where there is knowledge of a definite charge against them of active incitement, or of connivance with crime, that statement should be made plainly and unmistakeably, so that the parties incriminated may have an opportunity of meeting it.

*The Attorney-General.*

Will your Lordship kindly look at the paragraph in your judgment, at page 22, in reference to the duty cast upon us. I forgot to read it. "If contrary to my expectation, in any case in which Mr. Graham is engaged, he should find himself still unable to give particulars, we should have the duty cast upon us, which we should endeavour to discharge; we should have to get the particulars for ourselves."

Sir C. Russell.

I merely observe in answer to that that after that discussion the order was made that particulars should be given of the names of the persons against whom the charges and allegations are respectively made, and that the said charges and allegations made against each of such persons should be specified. I say there is nothing in these particulars which will tell any one member what he is charged with other than the fact of his being alleged to be a member of this organisation or association.

*The President.*

The particulars which have been given may be said generally to disclose a charge of conspiracy to bring about certain ends by illegal means, and that must be dealt with in the way in which charges of conspiracy usually are,



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and it is not necessary that all the details of the overt acts should be stated in particulars. The object of the particulars is to inform the persons who are accused of the nature of the charge brought against them in order that they may be prepared to meet it. We are of opinion that these particulars do fulfil the conditions required by the practice in that respect. Undoubtedly, if there be any particular instances, having regard to individuals, of which information could be given other than the general connexion with these organisations which have been referred to, I must say that I think it would be desirable that information on these points should be given in order that there might be an opportunity of cross-examining the witnesses. But, in these matters, it is impossible to search the consciences of those who are conducting a case of this kind, and I and my colleagues have no reason to suppose that these particulars have not been drawn with the desire to give such information as it is in the power of the Attorney-General's clients to give at this stage. The Attorney-General has opened the case with great particularity, and he is indicating the nature of the evidence which he proposes to lay before us. There has been the opportunity, therefore, of seeing many matters which will be met by countervailing evidence or by the cross-examination of the witnesses who will be called in support of those statements. If we see that there are points upon which it would be right that there should be delay in order that Sir Charles Russell's clients may inform themselves further than they are informed, we shall have the opportunity of allowing that; but we are of opinion that there is no reason at this stage of the proceedings to require the defendants in the action of *O'Donnell v. Walter* to give further particulars than those which they have given.

*The Attorney-General.*

My Lord, as there has been an interlude in connexion with my opening to your Lordships, I should like to mention a matter to your Lordship which must be formally brought before you. I intended to mention it at the end of my speech, and that is the disobedience of the order for the production of the bank books. Our only information is, that under the advice of counsel, they decline to produce them. The secretary has requested that an affidavit should be filed of the personal service or the proper service of your Lordship's order, and of the attendance to inspect the books. In all probability your Lordship will think it right to give them notice of your intention to deal with the matter, and I would ask your Lordship whether it would be convenient to name a morning when that might be taken. The Hibernian Bank is the bank. There are three banks.

*The President.*

I suppose you have considered this. We shall be very sorry, you know, to be obliged to have recourse to any extreme measures, and I should imagine that no bank would really persist in refusing to obey an order of the Court.

*The Attorney-General.*

My Lord, I may be allowed to state (I think it is on the affidavit in the action of *O'Donnell v. Walter*) we had to go to the Court for the purpose of getting production.

*The President.*

You have been to the Court,—I mean you have been to us; you have applied to us.

*The Attorney-General.*

Yes, but we did not get them then; the order was not obeyed. I am afraid it will be necessary to come to your Lordships. I only thought it right to mention it, in order that if your Lordship wished any particular notice to be given to them——



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[Continued.]

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*The President.*

Yes, of course. If the bank ultimately refuse we shall be obliged to have recourse to our powers. Of course we should not do that without giving them an opportunity of being heard; but I should hope that there will be no difficulty about it. It must come sooner or later.

*The Attorney-General.*

Then in all probability the better course would be, if I might respectfully suggest, that we should intimate that we have mentioned it to your Lordship.

*The President.*

Yes, give them notice.

*The Attorney-General.*

If they do not intend to comply, give them notice on Monday or Tuesday, or some day like that.

*The President.*

Yes.

*The Attorney-General.*

My Lord, Mr. Davitt has appeared. I must ask him for an affidavit of documents. Probably if he will consult somebody with regard to that matter it will be sufficient.

*The President.*

Yes, very well.

*The Attorney-General.*

Your Lordships will recollect that I had arrived, when the Court adjourned last night, at the discussion of certain incidents prior to the month of May 1882. My Lord, I should indicate to your Lordship that there are two other letters which passed early in 1882, which are of importance apart from the question of handwriting, which I shall put in; two letters which are believed to be in the handwriting of Mr. Egan. They are both in the book, no doubt, somewhere about the same page. One is under date the 8th of March 1882: "Dear sir,—Your presence in the West is urgently asked for. The thing must be done promptly. Send reply to address already given you. Yours truly, Patrick Egan."

*The President.*

I suppose you do not state to whom?

*The Attorney-General.*

I am not able, at the present time, to state to whom that is addressed, my Lord. Then on the 11th March 1882: "Dear sir,—As I understand your letter, which reached me to-day, you cannot act as directed, unless I forward you money by Monday next, but here is 50l.; more if required. Under existing circumstances, what you suggest could not be entertained." My Lord, I do not read other documents which were referred to in the course of the proceedings of *O'Donnell v. Walter* prior to that date, although I shall of course put them before the Commission, as I am not able to say they have any direct bearing on the matter, except on the question of handwriting.



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[Continued.]

Now, my Lord, I come to a part of the case which requires some little careful treatment from me, and which will in our view form a very important feature, or incident, in connexion with the matter. I have many times suggested to your Lordships that I should submit there was no doubt of any kind, or could be no doubt of any kind, that Mr. Parnell was personally acquainted with what was the outcome of the action of the Land League, of which he was the president, and that ultimately he would not be allowed to say that he was not responsible for what the Land League had done, for what the individuals with whom he was personally connected had done in furtherance of the acts of the Land League, for what had been done by such men as Mr. Harris, Mr. Gordon, Mr. Nally, Mr. Boyton, Mr. Brennan, Mr. Biggar, and others, whose speeches have already been read. Now, my Lord, I approach an incident in the case which, if the evidence be in accordance with my instructions, will prove conclusively that Mr. Parnell did know what had been done by Sheridan, by Egan, and by Boyton. I mention those three names, not, as your Lordship will understand, for the purpose of suggesting that he did not know what had been done by the others, but because the incident to which I am about to refer only shows, if it be accurate specifically, that he did know with reference to those, and therefore it is what I may call additional proof in regard to those particular individuals, and, my Lord, most important, because, if what passed between Mr. Parnell and the witness I shall call be true, undoubtedly he knew that Sheridan had been actively and intimately engaged in the promotion of outrages in the west; that Boyton had been actively engaged in the promotion of outrages in Leinster; that Egan had been supplying the funds with which outrages had been promoted, not only in those places but elsewhere. I am sure, my Lord, that I shall not be misunderstood by my learned friend Sir Charles Russell, but I will repeat what I said this morning in connexion with my present opening to your Lordship. It is no part of my case to suggest that Mr. Parnell knew the name of the particular individual who was going to be assaulted, or the particular landlord against whom any outrage may have been contemplated, but that he knew that these outrages were necessary and were part of the system. My Lord, in the early part of 1882 there were negotiations carried on between Captain O'Shea and Mr. Parnell. Mr. Parnell was in Kilmainham with the other suspects or the other persons imprisoned, of whom a list will be put before your Lordship. Mr. Dillon was there, and a number of others were there; Mr. Kelly, I think, was there; however, a number of others were there. They had a large amount of freedom in regard to communication with the outside world in the sense of persons being allowed to see them. They associated altogether. They had also certain privileges that persons in confinement do not ordinarily have. They were of course not convicted prisoners in any shape or way; therefore it was natural they should have some additional indulgence. In the early part of April Mr. Parnell was released on parole, and he went to Paris in consequence of the death of a nephew. He did undoubtedly on the occasion of his going to Paris see Captain O'Shea. I mean on the occasion of his journey either to or from Paris he saw Captain O'Shea. Subsequently to that Captain O'Shea went to Kilmainham for the purpose of a special interview with Mr. Parnell. I think I can actually prove the exact date of that. My recollection is it is somewhere about the 28th of April. The particular date is not very important. Assuming that I have approximately fixed the day on which the interview took place, it is somewhere about the 28th of April. Mr. Parnell, I think, returned to Kilmainham at sometime at the end of April, and I think the day upon which Captain O'Shea went down was the 27th, and he saw him on the 28th at Kilmainham. Subsequently, on the night of the 6th of May, or morning of the 7th of May, the day after the Phoenix Park murders, there were further interviews between Captain O'Shea and Mr. Parnell. Now, my Lord, with the ordinary political aspect of this discussion I have nothing whatever to do. I have nothing whatever to do with the question of whether Mr. Parnell was right or wrong in entering into the bargain, or what has been called the bargain, with whomever it was entered into, but it has a most direct bearing upon the position of Mr. Parnell with



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reference both to the American section and also with reference to his knowledge of what had been going on previously in Ireland. The general outline of the discussion was with reference to a certain course which might be taken by Mr. Parnell with reference to the Land Act or with reference to the land question in Ireland; and while Mr. Parnell indicated that he did not wish that the question of his personal release should be at all prominently brought forward, the fact that his personal release and the release of some of the others who were with him was to be a condition, was also the basis of the negotiation which was then proceeding. The question arose as to whether or not Mr. Parnell would be able to control those who were with him in Kilmainham at the time, and those who were not with him, and with whom he was connected. The question arose directly as to whether or not if the particular line of policy which would cause the land question to assume a different aspect was accepted by Mr. Parnell, it would be accepted by those with whom Mr. Parnell was associated, and particularly those upon the other side of the water in America and others who were connected with him. And, my Lord, the main anxiety on the part of those who were negotiating with Mr. Parnell was the putting an end to these outrages and this horrible system, and the question directly arose between Mr. Parnell and Captain O'Shea as to whether or not Mr. Parnell would and could assist in the putting down of outrages. My Lord, before I tell your Lordship what Mr. Parnell said, as I am instructed, I ask your Lordship just to bear in mind the effect that this evidence, whatever it may amount to, has upon the argument I have already been addressing to your Lordship, which is that from the year 1880 up to the time of his being put in prison in 1881, a period of 20 months, Mr. Parnell had not moved hand or foot to stop the outrages. What he had done had tended to promote them. Neither in writing nor by speech had he done one single act, or taken one single step which would have tended to put them down. My Lord, with regard to a part of this case I think it will turn out that there can be no mistake of recollection in this matter, for it is in writing; and I think it will appear, from what is in writing, that the offer of Mr. Parnell, in the event of the arrangement being made which he could approve, was that he would assist and use his utmost to put down outrages. My Lord, all I can say is this: I submit to your Lordship if, as a public man, Mr. Parnell could do anything to adopt that course, could do anything to reconcile the conflicting interests, and lay at rest conflicting questions, it would be very much to his credit; but the sole use I wish to make of this in the course of my opening is to see what was in the mind of Mr. Parnell and what he knew. Now, my Lord, the question arose as to whether he could control his comrades, and thereupon Mr. Parnell said that certain of his comrades must not be released, that certain of those who were in Kilmainham must not be let out, at any rate, at present; and he stated that among others Thomas Brennan, who had been the secretary of the Land League, and intimately connected with the Land League doings, must either be kept out of Ireland, or must be kept in prison. I shall ask your Lordship to draw a conclusion, if that be true, as to what was the knowledge in Mr. Parnell's breast as to what Thomas Brennan had been connected with, prior to his being imprisoned in Kilmainham. The question then arose as to Michael Davitt. Mr. Davitt was in Portland. There had been no communication as far as I know (of course I am only speaking from instructions) between Michael Davitt and Mr. Parnell, between Portland and Kilmainham. It was believed that Michael Davitt would be strongly opposed to a withdrawal of the no rent manifesto. He had been no party to the no rent manifesto, but it was believed there might be a difficulty in getting his assent to it, or to some part of the policy which Mr. Parnell was supposed to advocate, and thereupon the question arose as to how Michael Davitt should be dealt with, and Mr. Parnell then said that he considered it essential that Mr. Michael Davitt should be let out, and in all probability so far as I may be allowed not to express an opinion, but to comment upon the matter, from what one sees, looking to Mr. Davitt's influence, Mr. Parnell's judgment was right. But he said if Michael Davitt was going to be let out, or, as it was necessary, he asked that his release should be postponed until



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Mr. Dillon and he, Mr. Parnell, had had an opportunity of seeing Michael Davitt, and, as I shall tell your Lordship presently, that course was adopted, for Michael Davitt was not released from Portland until the 6th of May, the day of the Phoenix Park murders, and after an interview to which I shall refer.

Now, my Lord, the question then arises as to how they were to stop these outrages; and I wish to stereotype, if I possibly can, this particular point I am now making. The burning question then, the question which was recognised by the Government at that time as being the question of the greatest importance so far as this statement which I am about to put before your Lordship tells us was, how to put an end to this horrible system of outrages. And the question arose as to whether Mr. Parnell was in a position to do it, and Mr. Parnell stated distinctly that he had every confidence, a confidence which was assured by those who were warranted in saying it, that the assertions that they would be able to make would be sufficient to enable him to stop those outrages. My Lord, if this be true, if Mr. Parnell had no knowledge of those outrages, what was the good of any such suggestion, or course being proposed? My Lord, it does not stop there. The question then arose as to who, or what would be the best persons and means for putting an end to the outrages, whereupon Mr. Parnell said that Sheridan must be allowed to come back. Sheridan was away at that time, through some proceeding against him,—a warrant, or something of the kind,—I do not know exactly at present, but it will be proved before you why it was Sheridan could not return, but Mr. Parnell said Sheridan must be allowed to return. He also said that Boyton, mentioning his influence, and the sphere of his influence in Leinster, would be useful for the purpose, and must be allowed to be at large, as he would be useful for the putting down those outrages. He stated the districts in which Sheridan and Boyton's influence would be useful, and he also referred to Egan; and when the question arose in most anxious conversation, between him and Captain O'Shea, as to whether or not he was satisfied that he would be able to control these men who had been so much mixed up in outrages, Mr. Parnell stated that if he got his run with Egan, Sheridan, and Boyton, he had no doubt he would be enabled to control them, or in other words, that his influence was such over them that they would be willing to abandon the policy which they had been previously pursuing, and to adopt the policy which would be in accordance with the views of Mr. Parnell at the time.

My Lords, of course, as I have stated, I am only indicating to your Lordships the evidence which on my instructions I shall put before you. If it be true, there is an end of any suggestion that Mr. Parnell was cognizant of what Sheridan, Boyton, and Egan had been doing. I am dealing now with the year 1882. I am dealing now with the time when it was undoubtedly the interest of Mr. Parnell to endeavour, in some shape or way for the time being, to make some arrangement as would enable him to be in accord with the then Government of the day. And of course, my Lords, if he were able to make this arrangement he would be able to leave Kilmainham. Although, as I have repeated more than once, he was very anxious that his personal release should not be prominently brought forward, it was one of the matters as to which he was naturally very anxious.

My Lords, this question of the existence of outrages and of the scheme whereby outrages were committed, and the fact that outrages had been carried on as a system, formed the subject of most anxious discussion; and all I will say in passing from this part of the case (although I do not pretend to put the actual words to your Lordship), the importance of the matter cannot be exaggerated, that if the documents that are to be produced are genuine, and I cannot understand at present how they can be alleged to be otherwise than genuine, if the information given by Captain O'Shea is accurate, there is not the slightest doubt, and there will not be the slightest doubt in your Lordships' minds that Mr. Parnell was thoroughly acquainted with the circumstances under which Sheridan, Egan, Boyton, and others had been working. And I again point out to your Lordships that a very



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important matter in that connexion was the statement that some of the members should not be released,—that some of the persons in Kilmainham ought to be still kept in confinement, and not released, at any rate for the present, and among those Brennan, the Secretary of the League.

Now, my Lords, in accordance with the arrangement Mr. Parnell was released from Kilmainham—Mr. Parnell, Mr. Dillon, and others. I mentioned to your Lordships that Mr. Parnell had stipulated he should see Michael Davitt, and he went down to Portland, and he and Mr. Dillon had an interview of some hour or two hours with Mr. Davitt, on the day of his release. My Lords, of course I am not able to say what passed between Mr. Parnell and Michael Davitt; but so far as we can judge from the public utterances of Mr. Davitt afterwards, he was very much indeed opposed to the policy which Mr. Parnell had at that time initiated or maintained. He was, as far as we can tell, very much opposed to anything which would apparently be any step to reconciliation between the English Government and the Irish Party, and Mr. Davitt has never made any secret of his principles.

His principles from beginning to end have been absolutely opposed to recognition, of either landlord or Government, of anything English in connexion with Ireland. But be it as it may, if public utterances are to be relied on, there was some considerable hesitation on Mr. Davitt's part in accepting the view put forward by Mr. Parnell. My Lords, a difficulty arose with regard to the release, or rather the withdrawal, not the release, of any preparation as to the release of Sheridan. I stated, and I think it will be proved, that a warrant was out against him, and at the request of Mr. Parnell, Mr. O'Shea went to Sir William Harcourt respecting it. Of course, I am not at the present time in a position, and I do not know that I ever shall be, to say what passed between Mr. O'Shea and Sir William Harcourt. But I am in a position to state this, that Captain O'Shea came back to Mr. Parnell and told him of the difficulties that existed, whereupon Mr. Parnell told him at once, that if Sheridan was not allowed to come back, very great difficulties indeed would arise, and he was afraid he would not be able to communicate with Mr. Sheridan, because, from information given to him previously, he was going to be allowed to come back; and he thought he could communicate with him; and I think he went off and said he could communicate with Mr. Sheridan as to whether or not Sheridan should be allowed to come back. My Lords, practically speaking, I have put before you sufficiently the utterances of what I am able to prove with reference to Mr. Parnell's part in connexion with what has been called the Kilmainham treaty, and the importance of it, from our point of view, and from the point of view of the allegations which the *Times* have made. And it shows that Mr. Parnell had the knowledge of of what had been communicated, and what had been the working of the organisation; and further it shows that it was promised by Mr. Parnell to do his utmost to put down outrages. If Mr. Parnell was in a position to do his utmost to put down outrages, I cannot help repeating the question, why he had not done his utmost to put down outrages before? And if it be alleged by his Counsel, or if it be alleged by Mr. Parnell, he did his best to put down outrages before then, I shall ask by anticipation, and I shall ask him in the witness box what steps he did take to put down outrages prior to the 6th May 1882? Now, my Lords, on the 6th May occurred that terrible tragedy of the Phoenix Park murders. It is no part of my case to suggest, nor do I propose to give any evidence to suggest that prior to the Phoenix Park murders, Mr. Parnell had any knowledge of any such murders being contemplated. It will be part of my case to suggest that he wrote a letter, or rather signed a letter respecting the Phoenix Park murders, which will be put in evidence; and it will be part of my case to show your Lordships that the necessities of the position in which Mr. Parnell was placed at that time did undoubtedly place him in a very great difficulty, and made it not only probable, but almost necessary, that some such steps should be taken, as the making of a statement or the writing of a letter similar to that which was written. But still, as I said yesterday, and I repeat to-day, that Mr. Parnell knew that Egan was engaged in agitation for the purpose of outrage, and



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the promotion of a system of which such outrages of necessity would be the outcome. It is part of my case to suggest that he either knew anything of, or contemplated anything so horrible, and for this obvious reason, that in the particular position he was then placed, such an occurrence was about the worst thing that could arise, from his point of view; because it so aroused public opinion that anything like calm negotiation, or the carrying out of any proposal, became almost an impossibility. Therefore I say that the occurrence of that horrible tragedy upon the 6th of May, put Mr. Parnell, as your Lordships will see from the evidence we shall lay before you, in the greatest difficulty. My Lords, on the 6th of May, that horrible tragedy occurred, and on the night of the 6th or the morning of the 7th, Captain O'Shea saw Mr. Parnell, and the circumstances and events which had occurred rendered their discussion of a character not likely to be forgotten. There are also certain matters in connexion with it which will, I think, clearly bring back to the minds of those who had to do with them, what was actually occurring, and enable their recollections to be pretty clear and distinct; and enable your Lordships to test on which side the truth lies, if there be, which I do not expect, any substantial controversy on those points. Now, my Lords, on the day after the murder, the manifesto signed by Mr. Parnell, Mr. Dillon, and Mr. Davitt, was issued. I only mention it to your Lordships, because it has incidents that have to be referred to in connexion with what afterwards happened. I think it is printed in the Blue Book.

Sir C. Russell.

Yes, at page 226.

*The Attorney-General.*

“To the people of Ireland.—On the eve of what seemed a bright future  
 “ for our country, that evil destiny which has apparently pursued us for  
 “ centuries, has struck another blow at our hopes, which cannot be exagger-  
 “ rated in its disastrous consequences. In this hour of sorrowful gloom we  
 “ venture to give an expression of our profoundest sympathy with the people  
 “ of Ireland in the calamity that has befallen our cause, through a horrible  
 “ deed, and to those who had determined at the last hour that a policy of  
 “ conciliation should supplant that of terrorism and national distrust,”—  
 that a policy of conciliation should supplant that of terrorism and national  
 distrust! The arrangements which Mr. Parnell had to do with to carry out,  
 through the intervention and by means of negotiations he was making.  
 “We earnestly hope that the attitude and action of the whole Irish people  
 “ will show the world that assassination such as has startled us almost to  
 “ the abandonment of hope for our country's future, is deeply and religiously  
 “ abhorrent to their every feeling and instinct. We appeal to you to show  
 “ by every manner of expression that almost universal feeling of horror  
 “ which this assassination has excited. No people feels so intense a detesta-  
 “ tion of its atrocity, or so deep a sympathy for those whose hearts must be  
 “ scared by it, as the nation upon whose prospects and reviving hopes it  
 “ may entail consequences more ruinous than have fallen to the lot of  
 “ unhappy Ireland during the present generation. We feel that no act has  
 “ ever been perpetrated in our country during the exciting struggles for  
 “ social and political rights of the past 50 years that has so stained the name  
 “ of hospitable Ireland as this cowardly and unprovoked assassination of a  
 “ friendly stranger, and that until the murderers of Lord Frederick Cavendish  
 “ and Mr. Burke are brought to justice, that stain will sully our country's  
 “ name.

“ (Signed)

CHARLES S. PARNELL.  
 JOHN DILLON.  
 MICHAEL DAVITT.”



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My Lords, it will be proved before you by Captain O'Shea, that Mr. Parnell objected to sign that document, and only signed it under the necessities of the case, and objected to its terms. It had been drawn up, according to my instructions, by Davitt, and for reasons which I think will very clearly appear from one point of view, it would have been better for Mr. Parnell that no such document had been issued, for undoubtedly it had put him in great personal danger. It will appear before your Lordships in the course of this case, that the relations between Mr. Parnell and the extreme party in America were very intimate. It will appear before your Lordships in this case that there had been from the year 1879-80 down to the year 1882, the working with a common purpose, that is to say, the ultimate separation of Ireland from England, the working of a common purpose as the only means of combining together the extreme section with the more moderate section, and as I stated to your Lordships on the first day, as I trust I shall be able to prove before you by public utterances, it was that arrangement, and that arrangement only, that secured for the Irish Land League the support of the American money—that American money could not be got except from persons who were willing to subscribe except with the view to root out landlords altogether, and it was upon the terms of a complete separation of Ireland from England upon which that support was given; not only practically, but directly, involving the consideration, that the ultimate object for which the associations combined should work should be the same. Therefore, Mr. Parnell could not be party to any such utterances, nor could he make the statement which he afterwards did make in Parliament, without subjecting himself to very great danger; and there is not the slightest doubt, as will be proved before your Lordships by Captain O'Shea—I do not know whether that will be actually disputed—that Mr. Parnell was in personal danger, that he applied for police protection, and was exceedingly anxious with regard to his personal safety, but, my Lords, at this time there were circumstances which might have led Mr. Parnell to be put into that position. I am instructed I shall be able to satisfy you, when you know what the relations were which subsisted at this time between the various sections of the organisation to which I have referred subsequently, my Lord, to this manifesto being issued, or this notice being issued. On the occurrence of the murder some question arose as to whether or not attempts should not be taken to find out the murderers; whereupon Egan, from Paris—Egan, the Land League treasurer—threatened to resign if any Land League funds were voted for the purpose of finding out the murderers of Lord Frederick Cavendish and Mr. Burke. That, upon my instructions, my Lords, will be placed beyond all doubt by a telegram which was sent by Egan himself; and I submit to your Lordships, if that be true, it shows how acute was the strain which was being brought to bear upon Mr. Parnell and his position by the course of events. Because here was Mr. Parnell protesting in England that the stain would never be removed from Ireland until the murderers were discovered; and Egan, the treasurer of the Land League, was protesting that he would resign if any of the Land League funds were used for the purpose of offering a reward for their discovery. I am not at the present moment anticipating what I shall have to tell your Lordships with regard to the American utterances. It will appear in the course of this inquiry before your Lordships that the persons who spoke of these Phoenix Park murders—this horrible tragedy—in America, by no means treated it as a murder; that it has been regarded as one of the victories by the extreme section in the Irish party, and that men by whom it was regarded as a victory, from time to time, the representatives of Mr. Parnell have been in very close connexion. Of course no man is responsible for all the views that are held by every person with whom he comes in contact; but, at the same time, if it be shown that these views have been held by men, and by the party with whom Egan is associated, it will show you the extreme probability, I might almost say the necessity, of the position taken by Egan, namely, that he would have nothing to do with any grant of the funds of the Land League being used for the discovery of the murderers.



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On the 8th May Mr. Parnell made a speech in Parliament also denouncing the murders, and there is no doubt if that letter of the 15th May was signed by Mr. Parnell, that letter was written in reply to remonstrances as to the course he had taken, coming from members of the extreme party, and I shall ask your Lordships to let me pause for a moment to allow me to consider the difficulties of Mr. Parnell's position, the necessity of some such action, or some such conduct as is indicated by the letter I am about to refer to.

Your Lordships will remember the case I have to present to you is that the extreme party did not regard any such act as being either an act of wickedness or being an act of which to express disapproval. It was an act of which there had been positive celebration of the anniversary at the subsequent dates in America, showing that the party in America not only did not disapprove of it, but approved of it; and it also was an act which led, among others, to a Martyr's Fund, which was a fund for the purpose of giving money to the members of the families of men who died on the scaffold, as distinguished from persons who had given evidence. Nobody who had given evidence was allowed to have any participation in the Martyrs' Fund, or who pleaded guilty. Therefore I am impressing this upon your Lordships. It is impossible to exaggerate the difficulties in which Mr. Parnell was placed for two years and a half, and this organisation had been receiving thousands and thousands of pounds, as I shall show your Lordships 10,000*l.* from America on the distinct and clear understanding that the agitation—that the joint organisation was working to bring about the total separation of Ireland from England; and it was only consistent with that object that the money should be sent, and this through the repudiation by Mr. Parnell of the utterances of the extreme section of the extreme party. I have no doubt that Mr. Parnell may have deeply regretted the connexion which did exist, but there it was, and how was he to deal with the difficulty in which he was placed?

Now your Lordships are aware that it was stated that on the 15th May Mr. Parnell wrote a letter, which I have read to your Lordships. I should venture to say one or two words when I have read that letter on the subject I referred to last night, namely, the question as to its being genuine or not. The observation will also have relation partly to the letter which I read yesterday. It is set out at page 226 and 227 of the proceedings. "Dear Sir, I am not surprised at your friend's anger, but he and you should know that to denounce the murders was the only course open to us. To do that promptly was plainly our best policy." I do not comment upon it now, but it is matter of very considerable importance. Your Lordships will notice "the only course" again written, then that is struck through. The first apparently has been written "can"—then "can" is struck through, and "our best policy" is inserted instead. I would rather not indicate at present the argument I wish to base upon that, but I call your Lordships' attention to it. "But you can tell him and all others concerned that though I regret the accident of Lord Cavendish's death, I cannot refuse to admit that Burke got no more than his deserts. You are at liberty to show him this and others whom you can trust also, but let not my address be known. He can write to House of Commons. Yours truly, Charles S. Parnell."

*The President.*

Have you had any photographs of that document. There was a question about that.

*The Attorney-General.*

My learned friend suggested, I think, that the mode of taking the *fac-simile* documents which had been adopted was not sufficient to enable his clients to judge of them. I have seen the originals. They have been inspected by Mr. Parnell and Mr. Campbell and by others. I do not know at the present time that photographs have been taken.

*Sir C. Russell.*

We were anxious that photographs should be taken.



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*The Attorney-General.*

The Commission will take any course they think fit as regards that.

*The President.*

It was disposed of fully. I said if this was not considered sufficient then photographs should be taken.

*Sir Charles Russell.*

We have written several times requesting that photographs should be taken. We thought this was not sufficient.

*The President.*

Have you seen the original?

*The Attorney-General.*

Yes.

*The President.*

Will you allow me to look at the original. I shall then be able to form an opinion whether it is necessary for photographs to be taken. *The original letter was handed up to the Commissioners.*

*The Attorney-General.*

Probably I may proceed my Lords—your Lordships know that our allegation is that the body of the letter was in the handwriting of Mr. Campbell. Mr. Campbell undoubtedly did write many letters for Mr. Parnell, and I will submit to your Lordships specimens of Mr. Campbell's handwriting, the subject of which some of your Lordships have been very familiar with, and you will not of course expect me at the present time to deal with any minute discussion as to any peculiarities in the handwriting which will prove it to be one or the other, but I do think it right to state to your Lordships one or two matters in connexion with the statements made by Mr. Parnell about this letter.

It will be proved before your Lordships that the first statement he made was, that having seen only a *facsimile*, not the letter itself, that the signature was nothing like his, that he never had signed any such signature at all, that the initial letter was made in a way which he never signed at all, and there were a number of other minute criticisms, as to the absence of particular parts of the letter, and particular strokes in this place, and particular terminations of the letters in another place, and he called minute attention to it within two or three days after the publication of the letter. I think, if I remember right, the letter was published on the 18th April. On the same day he made several statements with regard to the letter, at that time absolutely denying his ever having written anything like it at all, saying that many of the letters had been formed never as he had formed them, and calling attention to minute details. My Lords, rightly or wrongly, that was met, as your Lordships will find, by a leading article which is published. Your Lordships will find some of those observations to which I have referred printed at page 230. I do not think I am justified in referring to it at the present time, because it may be that this will not be repeated upon oath, but I merely wish to indicate to your Lordships what my case will be, that it may not be said in the future that it is an after-thought. The *Times* immediately replied in the next document put in in "Parnellism and Crime," saying that they possessed undoubted signatures of Mr. Parnell in which the presence or absence of the peculiarities of handwriting, on which he commented, were to be found.

I venture to think there is one more important matter even than that. It will be proved before your Lordships that in the year 1888, after the production of a letter in *O'Donnell v. Walter*, he again made a statement, in which he said that, having seen the *facsimile* again, it was the *facsimile* of a signa-



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[Continued.]

ture which he used to use up to the end of the year 1879, and that the signature which was copied was a signature of 1879, and that for a purpose he had definitely abandoned the use of that signature in the year 1879.

My Lords, I shall have to call attention to those statements in evidence before you, because it seems to me to form some ground upon which one may fairly criticise the allegation made respecting this being a genuine or a forged signature. If that answer be again repeated before your Lordships, made as it was in the House of Commons at the time it was made, I shall produce before your Lordships genuine signatures long after the date on which it is said to have been for a definite reason abandoned, in which the characteristic features of this signature are present. I can understand, and perhaps I ought to speak with very great guardedness, the almost paramount necessity of Mr. Parnell writing some such letter, having regard to the position in which he was placed. No doubt it was never intended for the public gaze. It will appear before your Lordships that there had been a large section of these people who did regard the removal of an Irish official as an act of warfare. There were a lot of people who did consider that any Englishman who went to their offices in Ireland was a person who might be removed by these means. Therefore, it was not in consequence of anything that was not in existence before; the influence which would render it necessary for Mr. Parnell to adopt this position was due to the combination with which he had been working during the two years prior to the month of May 1882. As far as I know, the only thing that I need call attention to are two other letters, also put in evidence. I do not know whether your Lordships wish to see the originals at the present time.

*The President.*

No, I only wished to see whether we could do without photographing, that was all.

*Sir Charles Russell.*

What does your Lordship think now about the question of photographs? We should desire a photograph.

*The President.*

Then undoubtedly you may have it. I gave that direction before, that you might if you pleased.

*Sir Charles Russell.*

If your Lordship pleases.

*The Attorney-General.*

Two other letters were written on the 15th June, both of which are alleged to be forgeries. Your Lordships will find them set out in the proceedings of *O'Donnell v. Walter*, at page 102,—16th June I think the date is.

[The document was read as follows]:—

“ Dear Sir,

“ I am sure you will  
 “ feel that I could not  
 “ appear in Parliament in  
 “ the face of this thing  
 “ unless I condemn it. Our  
 “ position there is always  
 “ difficult to be maintained.  
 “ It would be untenable but  
 “ for the course we took.  
 “ That is the truth. I can  
 “ say no more.

“ Yours truly,

“ CHAS. S. PARNELL.”



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ATTORNEY-GENERAL.

[Continued.]

I will read the other one after my friend has looked at it. I wish your Lordships just to look at them while I make an observation. The other one is:—

[The document was read as follows]:—

“ Dear Sir,  
 “ I shall always be  
 “ anxious to have the good-  
 “ will of your friends, but  
 “ why do they impugn my  
 “ motives? I could not  
 “ consent to the conditions  
 “ proposed, though I accept  
 “ the entire responsibility of  
 “ what we have done.  
 “ Yours very truly,  
 “ CHAS. S. PARNELL.”

*The President.*

Are the bodies of those letters——

*The Attorney-General.*

The bodies of those letters are in the handwriting of Campbell according to our allegation. Nobody will suggest that those letters were either unreasonable or unnatural. A remonstrance by an extreme section saying, “We require you to do this” would be met by some such reply. But I will ask your Lordships kindly to look at those signatures.

[The letters were handed up.]

All my comment upon them at present will be this, my Lords, that if those be forgeries it is one of the clumsiest things that ever was done, and the forger must have been about as foolish a man as can be contemplated.

Your Lordships will probably have some information given you with regard to the condition of health of Mr. Parnell at that time, and the characteristics of the writing in view of the possible condition of health, and in view of other writing of Mr. Parnell’s. But I shall submit to your Lordships that it by no means detracts from the probability of those being genuine that there are in connexion with those two signatures certain characteristics which are different from the previous signatures, when your Lordships have heard the evidence which will be given with regard to the presence in those signatures of certain other characteristics.

This is an observation which applies to other parts of these documents as well. If these letters had been the work of a skilful forger there are many things which would have been found in them which are absent, and certainly some things there which never would have been put in had it been desired to make a mere imitation. But I am at the present moment bringing as clearly as I can to your Lordships’ minds, that the position in which Mr. Parnell was placed was this, that it was absolutely essential that some such steps should be taken.

He was responsible no doubt for the difficulties of that position because they were to a great extent of his own creation, but we have not got to consider with whom the responsibility is, we have only got to consider what light that responsibility throws upon the probabilities of the case.

I said a word or two yesterday as to my hope and expectation that the whole of the history of these letters should be put before your Lordships. As far as we can that shall be done, and the names of persons from whom they were obtained, so far as it is possible for my clients to do so, will be put at once before your Lordships.

*The President.*

What is the meaning of that limitation?



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ATTORNEY-GENERAL.

[Continued.]

*The Attorney-General.*

I will tell your Lordships in a moment, my next sentence would have explained it, that at the time the letters were obtained certain pledges were given with regard to non-disclosure by the persons to whom the letters were given; for good reasons or for bad reasons may be a matter your Lordships will have to consider, but still pledges were given, personal danger was at that time seriously apprehended, all fear of it is not yet removed by any means, my clients are in hopes that those pledges will be released, my clients are in hopes that they will be able to get a perfectly free hand with reference to the persons from whom these letters were first obtained. So far as they can, they will endeavour that your Lordships shall have full information with regard to the custody from which these letters originally came, and the circumstances under which they were obtained. More at the present moment I am not able to say; I have felt it my duty to say that because at the time I made my statement in *O'Donnell v. Walter*, none of the pledges had been released. The *Times*, as I then stated, had given such an assurance, that cost them what it might, they would not go back from the pledges they had given. Those pledges had partly been released, possibly, I will not say more than probably, before the end of this case they will be still further released, and so far as my clients have given a personal pledge at all they are released. I can only say with regard to this part of the case that, important as it is as an issue, I have never by any word of mine detracted from its importance. I have never in any way suggested that it was not a matter to be inquired into, because if they are genuine it is a clear proof of knowledge. But as I have said many times in the course of the last three days, that affects Mr. Parnell, and Mr. Parnell alone; it does not touch Mr. Biggar or Mr. Matthew Harris, or any of the others, whose names I have more than once repeated, but it does not in any way relieve Mr. Parnell from the responsibility which rests upon him of clearing himself from the connexion which we allege existed between him and the organisation to which I have been referring. Your Lordships heard to-day, and your Lordships well understand for what purpose they were made, the observations made by my learned friend, that what I was addressing to you was a mere *rechauffé* of what had been said before. My learned friend shall have the full benefit of any such observation or criticism. For the purpose of the case I am presenting I need not tell your Lordships that any such suggestion will not deter me from putting before you any part of the evidence which I feel necessary for the purpose of establishing the case, but this I say, that whether the charge was ever made or not, the charge has never been investigated before a legal tribunal before, and it is because of the gravity of the charge that Parliament has thought it necessary that it should be investigated before a legal tribunal. It may be very convenient to sneer at any allegations or any charges, and say it is a *rechauffé*, the question is whether it is true or not, and I do not think that if I succeed in establishing the connexion of numbers of these individuals with these outrages, even to the extent which I have already opened, that your Lordships will think the charge less grave because counsel for Mr. Parnell has thought fit to say that it was a mere *rechauffé* of what was before alleged. I am going to use the fact presently that Mr. Parnell has been distinctly charged with the consequences of these acts, and that he and his associates after that charge continued to go on and were guilty for months, nay, for years afterwards of the same conduct leading to the same fearful and awful consequences.

I have, I am thankful to say, arrived at the point which makes a clear and complete break in matter of time, but I wish to pause, with your Lordships' permission, to gather up one or two minor matters which must be referred to, as they are quite separate heads of evidence in connexion with this period. Those incidents are really of very considerable importance, and therefore I do not apologise for going into the matter, and they are quite separate from what I have before referred to. By the courtesy of my learned friends, Sir Charles Russell and Mr. Asquith, I am in a position to correct a mistake I made yesterday. I stated that in the proceedings in *O'Donnell v. Walter* I had not



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ATTORNEY-GENERAL.

[Continued.]

been instructed to say that Mr. Campbell was in Paris at the time the second letter was written by Egan to Carey. That only came to my knowledge afterwards. I was in error; at page 96 I did state that Mr. Campbell was in Paris. The incident comes back to me most clearly. What I ought to have stated was this, that the admission that Mr. Campbell was in Paris had been made after the trial, for it was after the trial that Mr. Parnell, in a public statement he had made, when he thought that we alleged that the body of the January letter had been written by Mr. Campbell, that is the one written from Kilmainham, said that it could not be so, because from the end of 1881 Mr. Campbell was in Paris, and I had in my own recollection—and I am sure your Lordships will pardon me for making such a slip—confused in my mind the fact that Mr. Parnell had admitted that Mr. Campbell was in Paris; and it appears that I had stated clearly that Mr. Campbell was in Paris.

*The President.*

What is the correction you wish to make?

*The Attorney-General.*

I yesterday stated, referring to the second letter written by Egan to Carey, that the body was in Mr. Campbell's handwriting, and I stated in opening *O'Donnell v. Walter*, I had not been instructed that Campbell was in Paris at that time. It turns out I had been instructed that he was in Paris at that time, but no admission had been made by Mr. Parnell that he was in Paris at that time; and I wish to make that correction, because I am afraid that any mistake I make may be the subject of comment afterwards.

The two or three matters of importance to which I wish to refer are certain collateral circumstances or incidents that were going on at this time and one of the most important was the position of a paper called *United Ireland*. I do not know whether it is going to be suggested that Mr. Parnell or any one of the gentlemen whose names are included are not, what you might call, responsible for the utterances in *United Ireland*, but I should prefer that I should make my statement complete respecting the matter.

I told your Lordships that *United Ireland* was started in the month of July 1881. It was started, practically speaking, by purchasing up three papers—the *Shamrock*, the *Irishman*, and the *Flag of Ireland*; and it was started by Mr. William O'Brien, M.P., one of the persons named, and during all the time I am about to refer to Mr. William O'Brien edited it, and I think it will turn out it was edited from Kilmainham. It was published in Paris, but I think it will turn out that a great deal of matter was written by Mr. O'Brien, or revised by him, and appeared actually in the paper during the time he was in Kilmainham. It is not important for me to establish that point, because before and after Mr. William O'Brien and Mr. Parnell were in Kilmainham I can prove that *United Ireland* was publishing exactly the same matter as during the time that they were there. That is a matter which in the view we are representing to your Lordships, that of knowledge, of complicity, of connivance, in these acts, deserves very careful consideration. On the 30th July 1881 Mr. William O'Brien published a letter of his own and a letter from Mr. Parnell.

“House of Commons, London,  
July 30th, 1881.

“Dear Sir,

“I have become aware that a company has been formed for  
“the purpose, among other objects, of starting a penny newspaper  
“which will aim at representing in a thorough and determined  
“manner the spirit of agrarian, industrial, and national self-reliance  
“which is now abroad in Ireland.”

That is a very convenient method of paraphrasing, a very nice name to give to the Land League organisation—agrarian, industrial and national self-reliance. I think Mr. Parnell is to be complimented upon the choice of his phraseology.

“The paper will be called *United Ireland*, and its management  
“has been undertaken by Mr. William O'Brien, whose character



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[Continued.]

“ as an Irish journalist, and whose experience as Special Land  
 “ Commissioner for the *Freeman's Journal*, peculiarly recommends  
 “ the new journal to the favour of the Irish National League, and  
 “ of all our countrymen who look to the development of native  
 “ industry and the consolidation of the Irish nation. I have no  
 “ hesitation in saying that individually I regard the publication of  
 “ *United Ireland* as an important gain to our cause, and without  
 “ prejudice to any national journal I shall be glad to see our friends  
 “ through the country exerting themselves to place the new under-  
 “ taking fairly before the public.

“ I am, dear Sir,

“ Yours truly,

“ CHAS. S. PARNELL.”

“ To the Hon. Secretary  
 Branch, I.N.L.L.”

Your Lordships will have a great deal of evidence before you as to some of the paragraphs which were published, and of the matters which were written in *United Ireland*.

Sir Charles Russell.

You said something about a letter from Mr. O'Brien.

*The Attorney-General.*

I will read it. The letter from Mr. O'Brien was in these terms on the 2nd of August.

“ Office of *United Ireland*,

“ 33, Lower Abbey Street, Dublin,

“ Dear Sir, Mr. Parnell's  
 “ letter which you will receive  
 “ herewith explains the grounds  
 “ upon which he asks your  
 “ assistance, and the assistance  
 “ of your branch, in securing  
 “ a good start for the New  
 “ National Penny Weekly  
 “ Newspaper '*United Ireland*,'  
 “ the first number of which will  
 “ appear Saturday the 13th of  
 “ August next. You can render  
 “ material assistance towards  
 “ its success.

“ (1.) By appointing a reliable  
 “ agent in any district where  
 “ *The Irishman* has not at  
 “ present an agent, and seeing  
 “ that the posters, which will  
 “ be sent to you by Friday's  
 “ post, are placarded extensively  
 “ through your district.

“ (2.) By forwarding to the office  
 “ of *United Ireland* weekly a  
 “ succinct report of the  
 “ proceedings of your branch.  
 “ I enclose specimen of the  
 “ sort of thing required.

“ (3.) [As to branches in cities  
 “ and towns.] We intend to  
 “ publish in our advertising  
 “ columns weekly, under the  
 “ head of the 'Trade Directory  
 “ of the People,' a list of traders



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[Continued.]

“ in all the cities and country towns  
 “ of Ireland who seek the  
 “ patronage of the people. The  
 “ names will be attractively  
 “ set forth (as in enclosed  
 “ specimen) under the head  
 “ of the county and town they  
 “ belong to, or, at the option of  
 “ advertisers in the general list  
 “ traders will thus be sure  
 “ of having their names  
 “ constantly under the eyes of  
 “ the people to whom they must  
 “ look for business. In order  
 “ that the ‘ Trade Directory of the  
 “ People ’ may become so  
 “ full as to include the name  
 “ of every trader desirous of  
 “ popular support, and so  
 “ form a link in the chain  
 “ of popular organisation, we  
 “ propose to insert such  
 “ names and addresses as  
 “ are now forwarded by the  
 “ secretaries of the local  
 “ branches at extremely  
 “ moderate prices for long  
 “ periods; but as our advertising  
 “ space will be limited, we  
 “ must reserve the power of  
 “ charging higher rates for  
 “ names subsequently received.  
 “ I enclose slip explaining  
 “ our rate of charges. May  
 “ I beg you will be good  
 “ enough to collect as many  
 “ advertisements of this class as  
 “ your branch may be able  
 “ to furnish, and forward them to  
 “ the office of *United Ireland*,  
 “ 33 Lower Abbey Street, Dublin,  
 “ at your very earliest convenience  
 “ so as to be in time for  
 “ publication in the first number.  
 “ Your obedient servant, William O’Brien.”

I do not think there is anything special in the letter. My object in quoting it was to show that William O’Brien, one of the persons charged, and Mr. Parnell, another of the persons charged, were intimately connected with *United Ireland*, and that it will be found to be the organ of the Land League.

What was the kind of way in which *United Ireland*, edited by William O’Brien, treated the action of the Land League in that paper?

I ought to have stated to your Lordships that it was owned largely by Mr. Parnell. I have a statement as to the number of shares in it. I think nearly all the capital was owned by Egan, Mr. Parnell, and some small share by Mr. William O’Brien. I think it will appear that they owned that as trustees, also that it was Land League money that was running *United Ireland*. But why I use this for this purpose is, that I want to show your Lordships how *United Ireland*, and the writers in *United Ireland*, for which Mr. William O’Brien was responsible, and I do not suppose that it would be suggested that Mr. Parnell was ignorant, treated the kind of conduct to which I have been referring.

Adjourned for a short time.



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ATTORNEY-GENERAL.

[Continued.]

*The Attorney-General.*

My Lord, when your Lordships adjourned I had spoken of the position of "United Ireland" in connexion with this party. I now wish to summarise as far as I can in a few sentences what I shall be able to prove from the columns of "United Ireland" itself. In the first place that from beginning to end the action which was going on under the Land League was called the "Campaign"; that in every number a very large proportion of the space was devoted to reports of what was happening at the local Land League meetings; that outrages were spoken of as the incidents of the campaign; without one single word of comment against them or anything at all to dissuade people from carrying them out; endeavouring to tar and half-drown or nearly drown a bailiff was called "Bathing a bailiff"; an account of moonlighting of persons approaching the place and being shot at was called an "escape." Week by week the details of the outrages were put down, stating what had happened, and, as far as I know, my Lord, neither by any expression of opinion in the paper, or any reference to any of these outrages in any articles, was there the slightest syllable which would lead people to suppose that the publishers, proprietors, or writers in "United Ireland" disapproved of them, and side by side speeches were reported which were practically inciting to the same conduct. I am not going, my Lord, of course to read any of those, to go back upon what I was dealing with yesterday or the day before; but it does happen that on the 8th October 1884, in "United Ireland," there is a long report of the "Campaign," alleging shooting near Kanturk.

*"RUNNING FOR HIS LIFE.*

"A bailiff, who some days ago arrived at Cranavone, Cahir, to serve writs on Lord Waterford's property, had to run for his life."

*"INSISTING ON A RIGHT.*

"On Sunday night, when the Athry band returned from the Castle Dermott meeting, they proceeded through the town, followed by thousands cheering and groaning for the police. The band refused to cease playing, when the police attempted to take away the staff and drums. The crowd surrounded them, and the police were struck and severely kicked. The band continued to play through the principal streets, followed by thousands shouting and groaning the police."

*"THE HOLY WAR.*

"Mr. Patrick Egan, treasurer of the Irish Land League, telegraphed to Father Sheehy, congratulating him upon his release, and hoping he may long be spared to help on the holy war against Saxon rule."

That was Eugene Sheehy, who made some of the most violent speeches.

*"A LANDGRABBER CONFOUNDED.*

"A man named Dempsey, who had taken a derelict farm near Clara, had employed men to save his hay. Several hundreds of people collected, and scattered the party in all directions."

I think that was the same man that was afterwards shot.

*"CAPTAIN MOONLIGHT.*

"In the town of Scariff, notices, signed 'Captain Moonlight,' containing threats against any person that would dare speak to the police or supply them with necessaries, have been posted."



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ATTORNEY-GENERAL.

[Continued.]

I have only picked out some half-dozen out of 20 or 30 notices of the kind, and that is in one paper. My reason for referring to that is this—that there happens to be a speech of Mr. Parnell's in it. I do not think it is in the particulars, but I will give the date of it now, so that, if necessary, it may be checked. I am not quite sure that it is in the particulars. It is at Mallow, reported in "United Ireland" of the 8th October 1881.

"Mr. PARNELL at MALLOW.

"Cutting off a rotten branch.

"Mr. Parnell, addressing the people from the balcony in front of the hotel, said: People of Mallow, I came here to-night for the purpose of investigating the case of an evicted tenant very close to Mallow, in order to obtain for that tenant an opportunity of availing himself of the benefits of the Land Act, if perchance we should find after investigation that there were any benefits in the Land Act. (Cheers, and a voice 'Down with Johnson'; groans.) I find, as a result of my investigation, that one of the worst, one of the most repulsive cases of landgrabbing exists almost in your very midst, almost within a stone's throw of this town of Mallow. (Cries of 'Shame.') Nay, more. The Land League of Mallow has actually had the unblushing audacity to apply to us, and to obtain from us a grant for this evicted tenant, a grant paid out of the hard earnings of your banished countrymen in America. They have actually had the audacity to do this, while, with the same breath, they have sanctioned, and they have condoned the eviction. (Groans.) Gentlemen, I don't refer to this to excite any feelings of animosity in your hearts against any individual, but more for the purpose of showing you how necessary it is that we should perfect our organisation; that we should give the greatest attention to details in the investigation of the cases which occur in each locality; and I am thankful accident led my steps to Mallow. But I have no doubt that what has happened close by you has happened in many other parts of Ireland. I can only say that nothing shall be wanting on my part to establish, perfect, and maintain such a system of organisation as will prevent the recurrence of such offences in the future. The Mallow branch of the Land League exists to-day, but it will not exist after to-day. We will cut off that rotten branch to-morrow (cheers), and we shall take early steps to establish a new branch of the Land League in Mallow (cheers and cries of 'It is wanted'), which will be in keeping with the principles of Michael Davitt in the future. (Cheers.) Those principles are that no tenant shall pay an unjust rent; that no man shall take a farm from which another has been evicted; and that every Irishman shall combine all his energies towards the destruction of Irish landlordism and of English misrule in Ireland. (Loud cheers.) I have referred to the case which I came to investigate, but, gentlemen, I ask you to allow bygones to be bygones. Let the past be buried and let us all hope that for the future we shall turn over a new leaf, and that we shall endeavour to put ourselves, as I have said, in line with the rest of our country and keep the banner of the Land League and of Irish nationality to the front (cheers); that we may show ourselves in this town of Mallow, and in this portion of the county of Cork as worthy to be Irishmen as the people of Mayo or Galway."

My Lord, that is a speech on the 8th October 1881. I am sorry it was not in the particulars. I gave the date of it. I only read it for the purpose of showing an instance of what I stated in my opening the day before yester-



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ATTORNEY-GENERAL.

[Continued.]

day, that it would be found that "United Ireland" was publishing, side by side, speeches which were directed against persons who were called "land-grabbers"—persons who had taken evicted land—and referring to the acts of violence as incidents in the campaign. Further than that, I particularly call attention to this reference to Mayo and Galway, and the invitation to the people to be as worthy to be Irishmen as the people of Mayo and Galway, remembering that this, in the year 1881, was after the terrible series of outrages that had taken place in both those counties in the year 1880 and the beginning of 1881.

Now, my Lord, I say again, that your Lordship will find that from beginning to end in the history of "United Ireland" the record of what was described as a war between the Irish people and the English people, was practically nothing more nor less than a record of those outrages which were being committed without one single occasion, as far as I know, in which the slightest attempt was made or the slightest effort taken for the purpose of diverting the people's minds from the conduct which had resulted in such terrible consequences; and I may also say, my Lord, with reference to the speeches I read yesterday, I believe I shall be able to satisfy your Lordship that practically all of them were reported in either "United Ireland" or the "Freeman's Journal," the "Freeman's Journal" being the paper with which Mr. William O'Brien was connected before July 1881, when, as that letter which Mr. Parnell wrote states, he came to be editor of "United Ireland."

Now, my Lord, another branch of evidence of what had happened before May 1882 I must briefly indicate to your Lordship. That was as to what these people were doing with reference to their visits to Paris. I stated yesterday that we should submit to your Lordships that it was scarcely possible to understand why, if Mr. Egan's business was constitutional, was aboveboard, was open to no suspicion, the mere arrest of Sheridan or the arrest of Mr. Davitt, but particularly the arrest of Sheridan, should make it necessary for Mr. Egan to leave the country and be in Paris. Your Lordship will find that in the autumn of 1881 Ford telegraphed to Egan that it was desirable that he should remain in Paris and not go to Ireland; but I shall be in a position to prove before your Lordship that the Land League Council met in Paris in the month of February 1881. Mr. Matthew Harris, Loudon, Kettle, Brennan, O'Kelly, Healy, Biggar, and, I think, Mr. Parnell (as to that I am not perfectly certain that it was the same council meeting at which he was present) were all present in Paris, and I shall be able to show your Lordship that during a very considerable portion of the time many of those persons, according to the records of "United Ireland" and of the "Freeman's Journal," were attending the Land League councils as they met from time to time in other places, showing that there was absolutely continuity in the organisation to which I have been referring. Now, certain matters we have discovered from documents which were obtained from the possession of Mr. Matthew Harris, one of my learned friend's clients, which he has had notice to produce on subpoena, and which if he does not produce them, I shall be able to prove from copies. Those documents disclose certain matters which I think deserve some slight notice from me. It may be said "It is quite true Mr. Matthew Harris made these speeches; it is quite true Mr. Matthew Harris made violent observations which may have led to some such results. He did not do so in any shape or form as a member of the Land League. He did not do so in any shape or form as being connected with Dillon, Brennan, Mr. Parnell, Egan, or any of the others." Now, my Lord, let us just test that by what we have been able to discover from these documents. I shall be able to prove—I think there will be no doubt about it from what is put before me—when Mr. Matthew Harris is called (and possibly I may be able to prove it before), that certain documents passed him and various members of the executive of the Land League which put it beyond all question that he was an organiser for the Land League and not a mere private speaker.

I will read first, my Lord, one of the 22nd May 1880, from T. Brennan,



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ATTORNEY-GENERAL.

[Continued.]

[The document was put in and read, and is as follows] :—

“ Irish National Land League,  
“ Offices, 62, Middle Abbey St.,  
Dublin, May 22nd, 1880.

“ DEAR MR. HARRIS,

“ When Mr. Davitt was leaving for America, he requested me  
“ to open whatever letters would come for him, and through that  
“ means I read your last letter to him.

“ I am to sorry to see that your pecuniary affairs are in such a  
“ bad state, and it strikes me we might be able to do something for  
“ you here. I represented the matter to Mr. Parnell, and he is  
“ anxious that we should make you a grant out of the funds of the  
“ League that would in some way compensate for all you have lost  
“ by the land agitation. *Of course no one outside the place here would*  
“ *know anything about it.* I will have the matter carried through  
“ some day next week. You will require Organisers' Order pro-  
“ perly to carry on the business of the League. *John Walsh* is  
“ doing Connaught.”

John Walsh is one of the men who made the most violent speeches. It was suggested in one sense or shape the other day. “John Walsh is doing Connaught.” John Walsh is the man of whom I read several speeches yesterday.

“ What would you think of assisting him? Think the matter  
“ over and let me know your opinion on it.

“ Yours truly,  
“ T. BRENNAN.

“ There will be a meeting in Creggs on 27. Could you attend?  
“ T. B.”

Now that, of course, is early in the days of the League. It is in the month of May 1880. It was only started at the end of 1879. Then the 23rd May 1880, Matthew Harris to Brennan, showing Mr. Brennan had been doing work some considerable time before for Egan.

[The document was put in and read, and was as follows] :—

“ Sunday, May 23, 1880.

“ My dear Brennan,

“ I am sorry to find that my private affairs have been  
“ through the extra kindness of friends subject of discussion in  
“ Dublin. I sent Mr. Egan a list of the meetings I attended, and  
“ informed him of the nature of my position here—a position  
“ incurring a large correspondence and its attendant expenses for  
“ postage, &c. Now what I want you to do as a friend and a man  
“ who should, from your large intercourse with the world, have  
“ some knowledge of what a decent man's feelings should be.  
“ What I want you to do is to inform the parties who control affairs or  
“ who have to deal with these matters, that all I require is my  
“ actual outlay, and that I do not make any claim whatever on the  
“ grounds of pecuniary embarrassment, losses in trade or business,  
“ losses of time, &c.

“ I kept no memoranda of my outlay, but all of you know what  
“ travelling is, and I would sooner by far that you would be under  
“ than over the amount of my expenses.

“ Yours very sincerely,  
“ M. HARRIS.”

I told your Lordship yesterday Mr. Matthew Harris was a builder at Ballinasloe, and no doubt he may by his agitation have neglected his business, but in the face of this kind of evidence I do not know whether it would still be contended that this was other than a conspiracy, other than an organisation, that each of these men are not responsible for the work which was being done from their central authority and with their practical knowledge.



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[Continued.]

Now on the 20th of August 1880 Matthew Harris writes to Patrick Egan.

[The document was put in and read, and is as follows]:—

“ Aug. 20, 1880.

“ P. Egan, Esq.

“ Dear Sir,

“ I intended to inquire from you and Mr. Brennan, in Dublin,  
“ whether the disposition of the funds collected for League purposes  
“ reach such service as I have rendered.

“ I have attended public meetings at my own expense in all the  
“ places named in attached slip, and *that before American money came*  
“ *over and while the movement wanted a helping hand.*”

Now, my Lord, I think your Lordship will see that I am not incorrect in stating that the American moneys were placed at the disposal of the Land League.

“ Being recognised as the representative of the League in the  
“ locality, my correspondence is something enormous between  
“ answering letters about relief branches, meetings, &c. Along  
“ with sacrificing my time I had to provide stamps and stationery,  
“ yet in no single instance have I left a communication unanswered,  
“ so anxious was I not to give any excuse to the members of the  
“ League. I do not demand any remuneration for my time, nor  
“ would I except any. What I do need attention to is my  
“ travelling expenses, postages, &c. The only money I got from  
“ the League was 2*l.* from Mr. Brennan in Roscommon, 5*l.* to go  
“ down and open a branch of the League in the lower part of  
“ Roscommon, also 2*l.* to attend the conference in Dublin. I had  
“ not time or opportunity to inquire after the monetary arrange-  
“ ments of the League, but I take it for granted that no body of  
“ men in society would require me, not only to work for nothing,  
“ but to pay expenses incidental to such work.

“ I am, very sincerely,

“ M. Harris.

“ P.S.—The only place where my expenses are paid were Balla  
“ and Westport. I have not included in enclosed list Irishtown,  
“ Tuam, Athenry, Galway, Tallow, Cobalow, Ballyhouran, Castlereagh,  
“ Roscommon, three times Loughrea, Newbridge, co. Galway, and  
“ Knockrogharry.”

Now, my Lord, the 4th of April. I cannot give the year, but, I should judge, apparently it must be either 1880 or 1881. I should think clearly 1880. I think one may say so, because from what was happening in April 1881 such a letter as this would not have been written John Dillon to Mr. Harris.

[The document was put in and read and is as follows]:—

“ 2, North Great George's Street,

“ Monday, 4th April.

“ MY DEAR MR. HARRIS,

“ I have received your letter of April 2nd. I agree with you  
“ there, the state of Mayo requires serious consideration. I find,  
“ however, that it will take an organiser of great skill and  
“ judgment to do any good there, and as yet I have no such man  
“ at my command that I can spare for work in Mayo, unless you  
“ think you could undertake it yourself.

“ Do not fix any meetings Connemara without consulting me.  
“ The end of May is the time I can think of for any western town.  
“ I shall be in Ulster for some time after Easter.

“ I shall send you a statement of the long case by next post.  
“ It would be well for you to visit Cong and settle this matter if  
“ you can.

“ Yours truly,

“ JOHN DILLON.”



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[Continued.]

Now, my Lord, I desire to put before your Lordship the position in which Mr. Matthew Harris was in the matter of money. It is clear that in the earlier days he was not regarded as of the same importance. 2*l.*, 4*l.*, and things of that kind were given him. But we find that later in that same year, on the 13th of November 1880, as far as we can trace, he got 20*l.* from Mr. Brennan and 20*l.* from Mr. Egan on the same date, or about the same date. On the 7th of January 1881, 10*l.* from Mr. Egan, and 30*l.* on the 8th from Mr. Egan. There are other smaller entries of money which I think Mr. Harris will have to admit when the evidence comes to be put before your Lordship; and I cannot help saying it seems to me it will be exceedingly difficult for anybody to suggest that any speeches which have been made by Mr. Harris, if they had, or were likely to have the consequences to which I have referred, were speeches that were made independently, and of himself and without communication and consultation with the members of the League by whom he was in fact being paid and employed. Later in that year—in February—he was undoubtedly attending a council meeting with Mr. Egan and Mr. Parnell; and in the month of March in the same year we find him receiving 15*l.* from Mr. Brennan. That was the 16th of March 1881. I am not sure that at the present time I can identify the actual amounts; there are certain other entries with reference to figures which, when Matthew Harris comes, and the original documents are produced, will leave no doubt, I think, in your Lordship's mind that he was the paid organiser of the League.

Now, my Lord, I say in all probability, I think I may say certainly, I shall be able with the information at present before me to lay before your Lordship evidence as to how these outrages were carried out. My Lord, I am afraid that such was the feeling in Ireland—so easy was it to excite the tenantry there, and some of the poor half-educated (semi-savage men, that have been described as, by some of their own advocates, some of this very Parnellite party)—so easy was it to excite them that a very little money would go a very long way; but still, at the same time, I think there is very little doubt on the evidence before me, and your Lordships will have no doubt that considerable sums of money were paid. My Lord, how was it done? To a great extent, my Lord, I am in a difficulty, because the books and documents either are not existence, or if they are in existence have been suppressed, and I do again respectfully press upon your Lordships one of the most important matters which you will have to inquire into, and which will need the most careful investigation, is what has become of the Land League documents and papers? We know they were removed from Dublin to London in October 1881, and, by the way, my Lord, I think perhaps I might refer, in connexion with that letter of Campbell's that I read of 18th October, to Mr. Kenny's affidavit, which is the only affidavit of any of the members of Parliament which deals with this matter at all—"Joseph Edward Kenny, of 15, Rutland Square, Dublin, Medical Doctor, Member of Parliament." He says:—"According to the best of my knowledge, information, and belief, I have not now and never had in my possession, custody, or power, or in the possession, custody, or power of my solicitors or agent's solicitor or agent, or in the possession, custody, or power of any other persons or person on my behalf any deed, account book of account, voucher, receipt, letter, memorandum, paper, or writing, or any copy of or extract from any such document or any other document whatsoever relating to the matters in question in this Commission, or wherein any entry has been made relative to such matters or any of them except as herein-after mentioned. (2.) I was treasurer of the Irish National Land League from about the month of February 1880 until about the month of October 1881; during that period there were in my possession the following books of the said League: Banker's pass book with the Hibernian Bank, cash book, cheque book, returned cancelled cheques. (3.) Such books and documents passed out of my possession in the month of October 1881, when I was arrested and confined in Kilmainham Prison. I believe the said books and documents then passed into the possession of Mr. W. F. Malony, who was



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[Continued.]

“ himself within a short period after my arrest also arrested and imprisoned  
“ in Dundalk Gaol.” Your Lordship will not have forgotten that the  
initials on that letter of Campbell’s respecting the books and asking for the  
cheque for 30*l.* were W. F. M.—the same—W. F. Malony. I think the  
endorsement on the letter was “attended to.” “And I am not aware into  
“ whose possession the said books and documents then passed. The said  
“ books and documents have never since my arrest been in my possession  
“ or under my control. (4.) I became treasurer of the Irish  
“ National League in or about the month of September 1886, and  
“ have acted in that capacity up to the present date. (5.) The  
“ following books of the said organisation are in my possession jointly with  
“ Mr. Timothy Harrington, M.P. Bank book with the Hibernian Bank.  
“ Cash book. Cheque book. Returned cancelled cheques from September  
“ 1886 to the present date.” That is the only one of the gentlemen present  
secretary, treasurer, or otherwise connected with the Land League, who  
makes any statement about the books at all, and at present it stands that  
there is no account of these books. This organisation either dare not keep  
books, or if it kept them, they have been suppressed. My Lord, if at some  
time or other your Lordships are in a position to probe this matter of money,  
on my instructions it will lead to some very remarkable disclosures; but, my  
Lord, why it is most important that I should have had this information  
before I made my opening statement is this: that it forces me to a great  
extent to summarise the evidence of witnesses who will be called before your  
Lordship in order that you may have evidence given as to how the money  
was provided for these outrages. I think it will appear that an emissary of  
the Land League, an agent of the Land League, used to get the money from  
the treasurer—either Mr. Biggar, or Mr. Brennan, or Mr. Egan, any one of  
the officials who might be in charge—used to take down the money,  
20*l.* or 30*l.*, having received the money of course from Mr. Biggar or  
from any of the other officials who handed it—used to take down the  
20*l.* or 30*l.* into the district and then distribute it locally to the  
men who were to carry out the outrages. I do not suggest—I never  
have suggested, of course it is no part of my case to suggest—that  
Mr. Biggar himself (as I have mentioned his name, of course it is right  
I should say so), paid the individual himself who was going to commit the  
outrage, or that Mr. Parnell paid the individual himself; but that the moneys  
were required—20*l.* or 30*l.* at a time—for Land League purposes, and from  
time to time they were received by persons whose duty it was, who came up  
from the district and took the money down with them. At times it was paid  
by persons who were down in the neighbourhood.

Now, my Lord, this matter of money is no small matter, and it is no small  
matter in connexion with the case as between the American section and the  
Irish section. My Lord, from the “Freeman’s Journal,” in which the receipts  
were acknowledged, from October 1879 to October 1881 (that is, a period of  
two years), 144,890*l.* was received by the Land League. Of that they  
accounted for 44,877*l.*, leaving unaccounted for the sum of upwards of  
100,000*l.* Did Mr. Parnell have an account of these moneys, or did he not?  
Did he have an account of the expenditure of these moneys, or did he not?

My Lord, if he did not have an account of the expenditure of these  
moneys, or if he is not able to give us any information, or any of the others  
of the officials are not able to give us information as to what became of these  
moneys, then I suggest to your Lordship it is because the purposes for which  
that money was used would not bear an account being kept; and I say in  
this *rechauffé* it is true, this old story, as my friends are instructed to say, but  
now investigated for the first time before a judicial tribunal, it will be of  
exceeding importance to know what was done with this large sum of money;  
and, if it is a constitutional organisation, again I ask, my Lord, why had the  
books to be removed to London? Why, when the books were removed to  
London, have they disappeared from London? If they have not disappeared,  
where are they at the present time? We have got now, and your Lordship  
will be able to examine, practically speaking, men who must have known



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[Continued.]

whether there were books, and, if there were books, where they have gone. And, my Lord, I reminded your Lordship a few moments ago there were 54 affidavits made by these gentlemen, all of whom were connected with the Land League, and six of them were requested or ordered to answer respecting the Land League, respecting the National League, respecting the Ladies' Land League, and in these affidavits, which your Lordship may have to deal with in some shape or other before long, there is not, except that one reference, so far as I know, a solitary reference to any books of the Land League at all. Well, my Lord, of course, as I have said, my story may be all fables; my story may be simply a matter which is founded on rumour or malicious tale-bearing without foundation. If this money did exist, was contributed and was expended—at least if the purposes for which it was spent were honest—there ought to be a proper record; and, without commenting upon absent people at the present time, I cannot understand why a difficulty should be thrown in the way of a full investigation as to the way in which the money was spent. I was able to read to your Lordship, and I shall prove before your Lordship, the transaction of Timothy Horan asking for the money for the men who were shot in the eye. Whose names could not be mentioned, whose names were not known to anybody except the doctor and the members. My Lord, if there were many transactions of the kind of Timothy Horan, one can well understand the papers disappearing; but I say again I do not believe that anyone of the 80 members of Parliament had the least idea of that document signed by Timothy Horan—that the original document was in existence. I think it will very likely turn out that your Lordship will have the greatest difficulty in getting any original records of what was done with the money, and how it was distributed, or to whom it was paid; and in this connexion I may also mention that the half a dozen instances which were found related only to two meetings of the Land League, and that there were a number of applications in respect of which grants were made at those meetings, all relating to those two meetings, and those two meetings only, showing it was a regular course of business being carried on between the branches and the head office.

Now, my Lord, I think that prior to the month of May 1882 I have noticed all the incidents upon which it is necessary for me to comment in opening the case at present, and I now pass on to what happened after the month of May 1882. My Lord, it will be convenient if I should state to your Lordship the topics which remain on which it is my duty to address your Lordship before the evidence is called. There is first the connexion, and the very remarkable connexion, of Frank Byrne with the English Land League, and the connexion of Frank Byrne with Mr. Parnell, and the circumstances under which Frank Byrne fled from justice and was assisted in his flight, as we have alleged, and allege again, by moneys received from Mr. Parnell. My Lord, before this tribunal of course I must assume nothing and take nothing for granted; but I do not know whether it will be any part of the duty of those who represent any of the persons who are charged to allege that Frank Byrne was not implicated in the Phoenix Park murders. According to his own statement, and as far as we can tell, a public statement which has never been repudiated, he undoubtedly was closely connected with the Phoenix Park murders. But, as I have said, nobody can tell to what extent it may be necessary to investigate these matters. It may be your Lordship may have to exercise powers to get at the truth to a degree far beyond any statement of the facts which I am at present in a position even to open before your Lordship. Therefore I have, at some little length, to lay before your Lordship what we know, what we have stated, what we charged respecting Frank Byrne and respecting his connexion with some of those who are named, and respecting his escaping from justice in the course of the year 1883.

Then, my Lord, I have to deal with the National League. The National League, as I told your Lordship yesterday, is the organisation which took the place of the Land League when it was suppressed; and I shall put before your Lordships evidence, or show your Lordships that I shall call evidence



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which will place it beyond all question that the executive, the organisation, the president, the officers, and the whole *personnel* of the National League was the same as that of the Land League. Then I shall have to show your Lordship what was the conduct of those who were managing the affairs of the National League; and here let me remind your Lordships that the "Coercion Act" or "Crimes Act" was in force in 1882 until the end of the year 1885, if I remember right. I think, my Lord, my date is approximately correct, at any rate it is sufficiently correct for the purposes of my opening. I shall have to show your Lordship that during the time the Crimes Act was in force the outrages to which I have referred as having taken place during the years 1880, 1881, and the earlier part of 1882, diminished to an enormous extent, and that after the Crimes Act expired under the tyranny of the National League, as distinguished from the Land League, and until the National League was itself suppressed, you have the same character of outrages carried on, and you have the same kind of speeches made, and I shall have to read to your Lordship—I hope not as many, but still a very considerable number of speeches made by the supporters of the National League. Here I shall be able to show that it was distinctly in the plainest possible terms brought to the notice of Mr. Parnell that the action of the Land League had resulted in certain consequences, and that in the face of that notice, in the face of that warning, he and his immediate supporters pursued exactly the same line of conduct with practically the same results.

Then, my Lord, I have in very brief outline also to explain to your Lordship what I have described several times as the American connexion,—the part that was played through the connexion between the English organisation and the American organisation, and, subject to minor matters, of which I hope there will be very few, I shall have no further subject which it will be material to me at the present time to bring before your Lordship's notice.

Now, my Lord, the Crimes Act was passed shortly after the Phoenix Park murders. It was (of course one understands that and expects it) opposed by Mr. Parnell and the Irish members. Of course they were perfectly within their rights in opposing it in any shape that they thought fit. But, my Lord, during this time there was in existence the British Land League, as it was called, of which Mr. Justin McCarthy was the president, Mr. Biggar was the vice-president, Mr. Byrne was the general secretary, and Mr. Redmond and Mr. Quinn were the treasurers. I think it was Mr. John Redmond. They had their offices in Palace Chambers, Westminster, and it is in connexion with the existence of that organisation, and its presence at Palace Chambers, that some very remarkable allegations were made as to which I have briefly to open to your Lordship the evidence which it will be in our power to produce. My Lord, these offices were in Palace Chambers at Westminster Bridge, and to these offices the members of Parliament had access, but I should think it is highly probable, more than probable, that a great many of them knew very little at any rate of what was going on, so far as Mr. Byrne was concerned.

Now, my Lord, we have alleged (and as to that we shall give your Lordship evidence), that to this office were taken the knives with which the Phoenix Park murders were committed, or, if not those knives, knives of an identically similar character and intended for the same purposes. I can put this matter shortly before your Lordship by asking your attention to the allegation which is made in the course of *O'Donnell v. Walter*. I think your Lordship will find it in the article of the 13th of June. It is at page 252 in the blue book. The passage which I am about to read is on page 254. "It was Frank Byrne, the secretary to the English branch of the League, who procured the weapons with which the crime was perpetrated, and his wife was afterwards fêted in New York as 'the brave little woman' who carried those weapons to Dublin. The offices of the League consisted of a small back room on the entresol floor of Palace Chambers, Bridge Street, Westminster. An adjoining room, equally small, with folding doors between, constituted 'the offices of the Irish Parlia-



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“mentary party.’ The folding doors stood open, and the Irish M.P.’s  
 “escaped asphyxia by using the two rooms as one. The regular occupants  
 “of the office were Frank Byrne himself, D. McSweeney, clerk to the League,  
 “now dead, and Mr. H. Campbell, Mr. Parnell’s private secretary, and now  
 “M.P. for Fermanagh. The treasurer to the League, Mr. Thomas Quinn,  
 “now M.P. for Kilkenny, was a frequent visitor, and, while in London,  
 “the Irish M.P.s were in and out at all hours. The M.P.s, of course,  
 “held their caucus meetings there, as did also the executive committee  
 “of the League. In this office the weapons were kept for several days  
 “before Byrne removed them to his home in Peckham. The knives  
 “lay in a paper parcel on the floor; the Winchester rifle and revolvers,  
 “of which so much was heard at the murder trials, lay open to the  
 “inspection of the curious. Before the knives reached Palace Chambers  
 “they were entrusted to a Fenian shoemaker in Bethnal Green, who boasts  
 “of having made leather sheaths for them. This worthy’s services to the  
 “cause were rewarded by ‘a testimonial,’ to promote which Mr. Biggar, M.P.,  
 “took the chair at a meeting convened under the distinguished patronage of  
 “the principal London Fenians, a speech by Michael Davitt being the chief  
 “attraction of the programme.” In so far as it is material for the purpose  
 of showing the character of the man Byrne, I shall lay before your Lord-  
 ships evidence to prove that that statement of facts is, at any rate in all its  
 main outline, true—that the knives were procured by either by Frank Byrne  
 or his orders, that they were taken to the Palace Chambers, and that the  
 other weapons were there which are referred to in the paragraph I have read.  
 Now nothing was known particularly about this matter until the beginning of  
 1883, but in the early part of 1883, if I remember right, somewhere about  
 the 3rd of January a man named Farrell made a statement to Inspector  
 Cavanagh in Ireland. Carey did not make his statement until some time  
 shortly afterwards. My Lord, the result of the first statement which was  
 made, or the result of the knowledge that a statement had been made, was  
 that Mr. Byrne left England, and he went to France. The excuse, for I  
 shall suggest to your Lordship that it was an excuse, was that his health was  
 bad and that he was ordered to Cannes. He dated his letters from Cannes.  
 On my instructions I believe it will appear he never was at Cannes at all,  
 and the letters were all written from Paris; but whether it was so or not, the  
 necessity of indulging, or enjoying rather, the warm air of Cannes, did not  
 seem to be very essential, for after the failure of the extradition proceedings  
 to obtain his arrest in France, he left the warm climate to which he first  
 had an attachment, but to which he then seemed to have an objection, and  
 took a sea voyage to America.

Now, my Lord, the allegation is that Frank Byrne’s escape was assisted,  
 if he was not actually enabled to escape, by means of a cheque of 100l.  
 among other moneys received from Mr. Parnell. And I desire to state  
 before your Lordship what I am about to prove with reference to that matter.  
 I will refer to an explanation which I shall prove before your Lordships was  
 made, if necessary, and state to your Lordship what I shall be prepared to  
 prove as to that explanation. The letter which will be put in—I do not  
 know at present whether this is alleged to be a forgery, so many letters have  
 been alleged to be forgeries, so many different persons’ handwriting—it is  
 something like the Irish alibi, it is the constant defence. If any document  
 in this case appears to implicate anybody, then it is alleged to be a forgery.  
 I do not know at present—it was suggested at one time it was a forgery.  
 I shall put it before your Lordships, and at once give your Lordships reasons  
 upon which you can form a conclusion as to that. It is alleged to be from  
 the Hotel des Pins, Cannes, France, on the 8th February 1882. It is signed  
 by Frank Byrne.

Mr. Justice A. L. Smith.

February 1882.

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[Continued.]

*The Attorney-General.*

That is clearly a mistake for 1883. He was not away at all. It is the common mistake of dating things at the beginning of the year wrongly. We shall prove it to have been in 1883 by another letter in a moment.

“Gentlemen,—I regret much that since I left home I have not  
“been able to write to you before now, as in addition to my lung  
“complaint I have been suffering from rheumatism in my right  
“hand and arm, which made it impossible for me to write. It is  
“much better now, but still far from being in a state to permit me  
“to write much. I was, as you have no doubt been informed by  
“Mr. McSweeny, obliged to leave suddenly by the positive orders  
“of the doctor, and could not, in consequence, communicate with  
“you previous to my departure.”

I do not know, my Lord, whether any attempt will be made to prove the positive orders of the doctor which suddenly called Mr. Byrne away, or who was the doctor.

“Mr. McSweeny will also have informed you that I received  
“the promised cheque, 100*l.*, from Mr. Parnell.”

At some time or other I hope we shall have an opportunity of seeing Mr. Parnell's pass-books, and of investigating the circumstances under which cheques were given. We shall submit to your Lordship, for reasons which we shall prove in evidence, that that statement is a perfectly true statement, and certainly there is no reason for supposing that if the letter is genuine the statement is untrue.

“I received the promised cheque, 100*l.*, from Mr. Parnell on  
“the day I left London. Immediately on my arrival in Paris I  
“proceeded to discharge all the liabilities for which I had authority,  
“and I now enclose balance-sheet showing income and expenditure  
“from Dec. 30th. You will see I have no account of either since  
“Jan. 20th, except so far as recording the receipt of 100*l.* on  
“23rd and cash sent to Mr. Walsh for fortnight ending  
“January 20th, and my own salary up to Saturday next. The  
“cash sent to Mr. Walsh was not authorised by you, as his  
“returns, which I now enclose, have not yet come before you.  
“They are of the usual character, and I hope you will adopt them  
“to-morrow night. I shall to-morrow forward to Mr. Quinn a  
“cheque or draft for amount on hand, 35*l.* 17*s.* 7½*d.*”

I do not know whether I might ask your Lordship to kindly make a note of those figures, because they occurred in another document.

“Mr. McSweeney will no doubt supply you with account of  
“receipts and expenditure since January 20th. As it is impossible  
“for me to conduct the business of the organisation from such a  
“distance, and as it is likely to be some weeks before I shall be  
“fit to return, I would respectfully request you to relieve me for  
“the present from the responsibility attached thereto, and I would  
“also suggest that as your income at present is not large, that you  
“would consider whether you are in a position to continue to pay  
“a salary to an official who cannot perform his duties. While  
“making this suggestion I would also remind you that my position  
“is not is not an independent one. If not already done I would  
“advise the official alteration in the name, &c. of the organisation,  
“and its announcement to the branches immediately. I shall be  
“happy to hear from you in reply, and information upon any point  
“you may require I shall, of course, supply at the earliest moment.  
“I am, gentlemen, yours faithfully, Frank Byrne, Gen. Sec.”



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My Lord, I shall submit to your Lordships that that is undoubtedly a genuine document signed by Frank Byrne, and that the statements in it are true. Now, I will ask your Lordship to make a note of those figures, 35*l.* 17*s.* 7½*d.*, because they occur in another document to which I wish to call attention. Your Lordship will have noted that that letter which I read was dated the 8th of February 1882, and that Mr. Frank Byrne stated in that letter he was going to write to Mr. Quinn the next day. The representatives of the "Times" procured the letter of Frank Byrne's that I have just read, believing it, as they now believe it, to be a genuine letter. Mr. O'Donnell, in the action of *O'Donnell v. Walter*, disclosed documents, and among others be disclosed a letter from Frank Byrne to Quinn of the 10th of February 1883. The original of it was in court. The original will be produced before your Lordship. Your Lordship will be able to judge, from a comparison of the two letters, whether or not that letter I have just read is genuine from the handwriting point of view. But this is the letter, my Lord, which he wrote to Quinn.

"I daresay you will have heard before now that I had left  
 " London for a warmer climate, in accordance with the positive  
 " orders of the doctor. I was obliged to leave suddenly or I should  
 " have tried to see you before my departure."

My Lord, Mr. Quinn was the treasurer of the British branch of the Land League, and I should have thought that the suddenness of the departure would have rendered it impossible for Byrne to have seen Quinn even in a few hours.

"I am glad to say that already I find a considerable improve-  
 " ment. The doctor thinks, however, that as soon as I am  
 " sufficiently strong I should take a long sea voyage, and he  
 " recommended America. I don't like the idea, but if my restora-  
 " tion of health depends upon it, of course I must go. I enclose  
 " you a cheque for 35*l.* 17*s.* 7*d.*"

That is the figure I mentioned to your Lordship in the letter which Byrne had written, a letter of the 8th of February addressed to the executive of the Land League.

"I enclose you a cheque for 35*l.* 17*s.* 7*d.*, the amount of cash  
 " in my hands belonging to the executive. At the last settling we  
 " had you held a sum of 1*l.* 6*s.* 1*d.*, so that you will now have  
 " 37*l.* 3*s.* 8*d.* in hand.  
 " If you can spare the time, and have the inclination, you might  
 " drop me a few lines here.  
 " I wish you would attend next executive meeting and inform  
 " them of receipt of this, or else write them.

"I am, dear Quinn, yours faithfully,

"FRANK BYRNE.

"P.S.—Kind regards to Mrs. Quinn and Tom."

My Lord, the proprietors of the "Times" had not the slightest knowledge that that document existed, or was still to be found, or, beyond the reference to it in the letter of which they obtained possession, there ever had been any such document until the affidavit made by Mr. O'Donnell in the action of *O'Donnell v. Walter*. It was then at once inspected; but your Lordship will observe the remarkable coincidence, that the same sum of money is mentioned in both letters. They come from two perfectly independent sources, and that the one on which I rely is genuine I shall submit to your Lordship, you can have no doubt. Now, I told your Lordship that an explanation had been given, and I shall prove, at some stage or other, when I have the opportunity, what that explanation was. It is said that this was a mistake, that he had not got the 100*l.* from Mr. Parnell, but that having a number of cheques from various people, exactly amounting to 100*l.*, he took them to



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Mr. McCarthy, and Mr. McCarthy gave him a cheque for 100*l.* in exchange for them. Well, my Lord, all I can say is, that is by anticipation. It is a very extraordinary thing that that being the transaction, that there should be the reference to it in the letter of the character to which I have referred; and I shall submit to your Lordship's judgment it is scarcely probable, nay, scarcely possible, that but a day or two before a transfer of money had taken place by Frank Byrne, having cheques to the amount of 100*l.*, because it was said he had not got a banking account, whereas, I think, in this letter he encloses a cheque or draft for 35*l.* 17*s.* 7½*d.*, and that having taken those cheques to Mr. Justin McCarthy, and having exchanged them, that accounted for the 100*l.* My Lord, if necessary, I shall prove that that explanation was given. It will be for your Lordship to say if that explanation be affirmed upon oath here, whether it is possible to believe any such story with respect to the distinct allegation that was made, and made upon the authority of the statement in Byrne's own handwriting, that 100*l.* had been received from Mr. Parnell on the day he left. Then, my Lord, let me for a moment consider what else happened to the men whose names I mentioned to your Lordship as being prominently connected with the Land League. There were Egan, Sheridan, Boyton, Byrne, and Brennan. There was also Eugene Sheehy. There were one or two other names that may come back to my mind when I deal with the American connexion between the two branches.

My Lords, I have to ask your Lordships to consider what it was that should have caused the treasurer of the Land League to have escaped to America. It was stated inadvertently by Sir Charles Russell—I am not aware that I ever made the statement—that I had said that a warrant was out against Egan in connexion with the Phoenix Park murders. I am not aware that I ever made such a statement. I believe I stated the fact accurately that extradition proceedings were either threatened or taken in order to get Egan extradited from Paris to England; but whatever it was, such was the effect of the disclosures in Dublin, and of its being known that certain persons had made statements, that Egan, the treasurer of the Land League, went to America and has remained there. Sheridan went to America, Byrne went to America, Boyton went to America, and Brennan went there also. I shall have to tell your Lordships what we shall ultimately allege and prove in connexion with what happened when those people were in America afterwards, what was their public conduct, and what was the part they played in connexion with the meetings at which Mr. Parnell, or his representatives sent out by him, were present. But, my Lords, at any rate it will be, I think, a matter to which your Lordships will give very grave and anxious consideration in connexion with any suggestion that these people were perfectly innocent people, why it is that there should arise in the breasts of all of them a sudden desire, about the same time, to leave both England and Ireland, and even France, where it is possible they might be reached by process, and go to America, where it is possible different views might be taken as regards some of the acts of which these men might be accused.

It will be proved before your Lordships that even after the departure of Egan, and after circumstances had taken place which ought to have aroused, and I should think must have aroused, suspicion in the minds of anyone of the people who had been connected with him, that there was something not quite straight in regard to his conduct, you will find resolutions proposed and resolutions supported by some of the leading gentlemen whose names are mentioned in these particulars as to Mr. Byrne's conduct having been absolutely straightforward and above board, and as to his being perfectly in a position to meet any charge that could be brought against him. However, Mr. Byrne does not seem himself to have been as anxious to meet the charges as one would assume, if he was in a position to fulfil the representations that were made of him in the resolutions to which I have referred.

So far as the story is concerned, I have now, before I go to the other matters that I mentioned, only to tell your Lordship of what was stated by the *Times* newspaper to be the ultimate result in the matter of money. I



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do not know whether your Lordship has seen the copy of the document which the *Times* published, which is referred to in the foot-note of the blue print. At page 200 the *Times* published a *facsimile* from the page of the *Irish World*. I shall be able to give your Lordship very distinct evidence as to the way in which the *Irish World* was treated by many of those whose names are included in these particulars, or by many of the officials of the Land League. Your Lordships will find a statement of a series of funds that were collected by the instrumentality of the *Irish World* for certain patriotic objects. I do not know whether your Lordship has got a copy of this document.

*The President.*

I have seen it. I do not remember where it is.

*The Attorney-General.*

There are two or three of the items to which I wish to call attention. The Mitchell testimonial I pass over. Number 2 is the Skirmishing Fund, amounting to 88,306 dollars, roughly speaking, 15,000*l*. That fund was at times called the National Fund, and I shall show your Lordships that it was a loan from that fund, a loan for which I believe, and I think it is right to say, Mr. Davitt says he was personally responsible, which went to start the Land League, that this fund which was originally collected for other objects, and objects in all probability much more violent than even the outrages of which I have given your Lordships the particulars, that it was a loan from that fund which Mr. Davitt made use of for the purpose of starting the Land League. Then your Lordships will find the "Leitrim Prisoner's Defence." I pass that. A fund called the "Rossa Testimonial." Your Lordships know Mr. Rossa was one of those who advocated the most violent steps and most violent action towards any person whom he thought was an enemy of any organisation of which he was the advocate. In fact, I think he went so far as to advocate the use of dynamite and the knife, quite openly. The next is the funds to which I referred yesterday, 7,600 dollars, or roughly speaking, about 1,300*l*. the "spread the light" fund. That, as I understand, was a fund, which is not infrequently referred to in documents, which I shall have put in evidence, for the purpose of "spreading the light" in Ireland, or "Spreading the Light" amongst the Irish. It constituted mainly of circulating amongst the Irish in Ireland copies of the most violent papers, and copies of papers which incited to outrage, and contained paragraphs inciting to outrage of all kinds. I shall show your Lordships in connexion with that as much as 40,000 copies a week of the *Irish World* were asked for, and that Mr. Parnell expressed his personal thanks to the *Irish World* for the great good that it had done to the Land League in Ireland. The "Spread the Light" Fund was the fund from which money was provided for sending over literature. Amongst other papers that were sent by means of this money was the *Irish World*, and it was the *Irish World* to which Mr. Parnell, as I have stated, tendered his thanks. The next is the Land League Fund, 343,072 dollars. That is the fund divided into two parts, of which your Lordships will find the acknowledgment of Mr. Egan, or a facsimile of the acknowledgment of Mr. Egan on the 1st August 1883. The acknowledgment is down at the right hand side of the paper:—

"Received from Patrick Ford (\$343,072.92) the sum of four hundred and twenty-four dollars and thirty-six cents, which is the closing balance of the *Irish World* Land League Fund, and which, with the amount already acknowledged and remitted, make a total received from Mr. Ford of three hundred and forty-three thousand and seventy-two dollars and ninety-two cents (\$343,072.92). Patrick Egan."

Now the O'Donnell Defence Fund, 55,098 dollars.

*The President.*

Have you passed over the others?



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*The Attorney-General.*

No, I missed one by accident, the Martyrs' Testimonial, 8,000 dollars. I ask your Lordships to note the particulars of that fund. Your Lordships will find at the left-hand margin an audit of the Martyrs' Fund and the O'Donnell Defence Fund. I will take the Martyrs' Fund first. Your Lordships will see the names of the families of the martyrs were Jane Mullett, Mrs. Daniel Curley, Mary Kelly, Mary Ann Fagan, Kate Fitzharris, Fanny Rowles, Thomas Brady, and Thomas Hanlon, all of whom were, if I am correctly instructed, members of the families of those who were convicted for the Phoenix Park murders. This is a matter which at any rate will show your Lordships what was the kind of view advocated by the American party with whom, as I shall show your Lordships, I think, beyond all question, there was the most close and intimate connexion; and I think, it will appear, as I stated this morning, that nobody who had ever either pleaded guilty, or confessed any crime, though they may have perpetrated it, or any members of his family, were allowed to participate in this fund. The martyrs were people who were proved to have been guilty, or died, or been convicted and punished in the same way as Allen or Carey or O'Brien, those men whom I mentioned yesterday. The O'Donnell Defence Fund, I think you will find, was for the defence of the O'Donnell who shot Carey.

Your Lordships will remember that Carey went out from England to the Cape in order that he might lead a better life, I suppose, or have a chance of starting somewhere. He was on board a ship in which he sailed with a man named O'Donnell, and O'Donnell shot him in cold blood; and your Lordships will find that no less a sum than 55,000 dollars, or 10,000*l.*, was subscribed for the defence of O'Donnell, who was supposed to have been guilty of the noble act of shooting an informer. If I remember right my learned friend, Sir Charles Russell, had the honour of defending O'Donnell at the Old Bailey. It will show your Lordship the kind of way in which the money could be subscribed for such purposes; it can scarcely be thought that that was simply for the purpose of securing a fair trial at the Old Bailey, or that a sum of 10,000*l.* was required. The real fact was it was for the purpose of getting persons to subscribe to objects to which support could be given to any act which would be supposed to assist the warfare that was going on. The Parnell Testimonial I will pass, that is a small matter. The Martyrs' Fund, in which the families of the persons who were connected with this movement were concerned, was started by Mr. Ford. Your Lordships will find the statement at the 248th page of the Blue Book, from an article in the *Irish World*, which I shall prove before your Lordships: "Sharing in that resolve, I started the Martyrs' Fund. I asked of the Irishmen of America, and I received 8,000 dollars for the families of the eight martyrs, and my sister, Miss Ellen Ford, in company with Miss Maria Doherty, of Worcester, Massachusetts—a lady whose zeal and services for the Land League knew no bounds—by an effort of the will summoned to her assistance courage enough to rise out of a sick bed, where she had lain for six weeks, and braved the waves and the equinoctial storms to put that money into those people's hands. That money was not given as alms. It was intended as a testimonial to the memory of the men who had, in their own way, struck a blow for the independence of Ireland. Whatever may be thought of the method, the underlying principle at least is a heroic one. May God send Ireland more men with hearts like that of Joe Brady."

He was one of the Phoenix Park murderers.

"Assassins! No, they were heroes who knew how to die for a cause as well as to kill for a cause. The blow they struck caused the enemy's cheek to turn white and the enemy's heart to tremble at future possibilities. Never was there such a commotion in the den of robbers. 'What next.' The next report that rang in the ears of the world was the echo of O'Donnell's shot. The informer was executed, and his dishonoured remains were thrown among the negroes and outcasts of Africa."



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“ But the avenger was in the hands of the foe, and what could his friends  
 “ do for him? The first thought that came to my mind, the feeling of those  
 “ about me, was that a rescue ought to be organised. To do that success-  
 “ fully, courage, skill, and money were needed. The men were to be had,  
 “ but the money was wanting. Now, here a perplexity and a difficulty put  
 “ in an appearance. It was suggested to me that I might appropriate to  
 “ that venture the Martyrs’ Fund, which as yet was incomplete, and deduct  
 “ the amount from the contemplated O’Donnell Defence Fund. All this, of  
 “ course, would have to be done in secret. But the venture, if it miscarried,  
 “ would place me in a false light. O’Donnell might die in Africa. He  
 “ might get a speedy trial and acquittal there. These were remote con-  
 “ tingencies indeed, but they were possibilities nevertheless, and if either of  
 “ them happened an O’Donnell Defence Fund could not be started; and then  
 “ if the other money were expended meanwhile in fitting out a rescue party,  
 “ how could the testimonial be given to the families of the martyrs? I  
 “ should either have to pay it back out of my own pocket, and that  
 “ I submit could not in fairness be expected of me, or else let things take  
 “ their course. It might have been all right, but then again it might have  
 “ turned out all wrong. A simple statement of the facts, doubtless, would  
 “ satisfy some people, but it would be no answer for others. The persons  
 “ who would talk loudest are they who had given least or nothing at all.  
 “ I had no discretion in the matter. The only safe course was to stick  
 “ to the letter of the understanding that existed between the subscribers  
 “ and myself, whatever the consequence, and so the rescue project was  
 “ abandoned.” And then it states how the O’Donnell testimonial was  
 got up.

I want to make this statement respectfully to your Lordship. I want to show you that the representative of Mr. Parnell and his party—I am not quoting Mr. Parnell, except as the representative of the party, but I shall show your Lordships that Mr. Parnell and his immediate allies, gentlemen whose names are mentioned in these particulars, have been the correspondents of the *Irish World*, that after the date of that article they continued to be correspondents of the *Irish World*.

Sir C. Russell.

Who?

*The Attorney-General.*

I will mention the names when I come to that part of the case. I shall show to your Lordships that after this considerable sum of money had been remitted to Ireland from the *Irish World*, and had been received by Mr. Parnell or his party, there is the public statement of Ford. How would you reconcile that with the statement that “until the names of the murderers had been discovered the stain would rest for ever on Ireland.” These are the public utterances of these men who will be found to have been actively connected with the organisation in America, and I shall be able to prove before your Lordship, according to their own admission, that of that 148,000*l.* subscribed up to the end of October 1881 some very many thousands, if not 100,000*l.*, very large sums came from America, and that after the date of this article in 1884 they have been receiving further sums of money. What is the position of that party with regard to this matter. The *Times* has alleged that this conspiracy was fed by American gold, and that that American gold was the subscriptions of persons who were not only guilty of treasonable practices, but who encouraged outrages of the worst kind. My Lords, if there was nothing else, if there were no other public utterances than that of Ford’s, do you think that constitutional agitators, a constitutional party, a *bonâ fide* political organisation, would have stooped to have received money from such men. When I take up the American part of this story I shall be able to prove before your Lordships beyond all question that these persons were advocating the sending of the *Irish World* into Ireland, and



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asking that it should be sent, and were referring to the great benefits that such papers had done to the cause; that in those papers, co-temporaneously, articles have been written, statements made, and speeches reported that were about as bad as anything could be, and were such as would lead, if the tenets and principles were followed out, to the repetition of tragedies as bad as the Phoenix Park, or even worse, and I do not believe that any public statement can be produced of Mr. Parnell's, or any one of his followers, repudiating Mr. Ford, or saying that they were ashamed of him and the things that he taught. As will appear, there was a slight estrangement in connexion with the conduct of Mr. Parnell, in connexion with it being thought by Mr. Ford that Mr. Parnell had not acted exactly as he, Mr. Ford, would have liked, and, I think, it was to a certain extent mixed up with money matters, but not to any great extent. I will, if necessary, refer to the statement of Mr. Parnell, in which he at one time, I think in the House of Commons, said that he could have got as much money if no Ford had existed. What I shall ask your Lordships to watch and examine is this, aye or no, has there been any repudiation by any single one of these gentlemen, who were united together as leaders of the Land League, as the leaders of the National League, or the leaders of this party, of the doctrines that Ford was preaching, and I shall show your Lordships that in 1885-86, as in the years 1882 and 1883, there stood upon the platforms in Ireland representatives of the *Irish World* and representatives of the American contingent, who were men who were undoubtedly just as much in league with Ford as any of those whose utterances have been referred to in the speeches which I have previously read. I mentioned to your Lordships a moment or two ago that several of these persons were correspondents of the *Irish World*. I think I can give your Lordships the names at the present moment. Mr. Davitt, Mr. Brennan, and Mr. Quinn, were all of them correspondents of the *Irish World*. Mr. Byrne and Mr. Sheridan were also so. It was one of the Mr. Quinns who was in the Land League Office, whether it was J. P. Quinn or the other one I do not know, I do not remember the initials. If your Lordships will bear with me for one moment I will endeavour to give, without any mistake, the actual names of the persons. Now my Lords, I have said that I desire to show that this conduct, of those who were the leaders of the National League, was followed, or continued, or prosecuted after the time that they had full knowledge of what had been the effect of their previous conduct, or what was allowed to have been the effect of their previous conduct.

Now, my Lords, I certainly read, and am entitled to read, as giving the most distinct notice to Mr. Parnell that could possibly be given, the statement made in his hearing, to which he replied and did not deny, by the late Mr. Forster. Now the point that I am going to make with regard to this, I am referring to the year 1883, the connexion of Mr. Parnell, Mr. Biggar, Brennan, Egan, and others, and of those people of the League was published and distinctly stated, and it was not denied. It is the ancient history of which my learned friend, Sir Charles Russell, was anxious to remind you. This morning my speech has been alleged by my learned friend to be mere repetition of what has been said before. As I have said, it is that issue whether it was true or not that we are submitting to your judgment, but I want to make it perfectly clear and beyond all question that not an agent whom he did not know, not in a letter which he did not see, but in his hearing; and when he did answer he was unable to deny it, the charge was made. And I use this, my Lords, not for the purpose of condemning Mr. Parnell in connexion with his action in the years 1880, 1881, and 1882. His condemnation and the condemnation of those who were with him with respect to those years will rest upon the evidence given in this judicial tribunal respecting their conduct, and respecting what was going on during the years. Mr. Forster may have been absolutely wrong in the judgment he formed, but I am desirous of its being put beyond all question that Mr. Parnell knew what was being done with regard to the conduct of the Land League, and had distinct notice of the charge made against him. Now, my Lords, I think there can be not the smallest doubt of



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the meaning of this language, and I will adopt it as my own, as being a correct description of the charge which was afterwards repeated in *Parnellism and Crime*. It is what I referred to when I said that this charge had been made before. "Do not let the honorable member suppose that I charge him with having planned any murder, or with complicity with murder, but I wish there to be no mistake. But this I do charge the honorable member and his friends with. He and they allowed themselves to continue the representatives and the avowed chief of an organisation which not merely ostensibly advised and urged the ruin of those who opposed them, and avowed that doctrine of boycotting which was to make life almost more miserable than death, but which set on foot an agitation which organised or promoted outrage, and incited to murder, of which the natural result and outcome was murder, and the honorable member ought to have known this to be the natural outcome. It is very difficult for me to understand how he did not know it, and how he did not separate himself from it altogether, and disavow and denounce it."

The date is the 22nd February 1883, the volume is 276 of Hansard, and the page is 618. Now, my Lords, I assert, if my learned friends desire it I would read it even now, that when Mr. Parnell spoke in answer to that charge he did not deny it in the slightest, and I assert that there was not any passage of any sort or kind denouncing it—on the contrary, the answer he made was of the most, if I may be allowed to say so, of a trumpery and trivial description, and attacked Mr. Forster for referring to the *Irish World*, and he attacked Mr. Forster because the Incidents of Campaign was a heading that was used in *United Ireland* during the time that Mr. Parnell was in Kilmainham, without referring to the earlier numbers speaking of it with the same heading without the word Incidents being used,

Sir Charles Russell.

Will you give me the book?

The Attorney-General.

I am not willing, as a rule, to be interrupted, but if there is any passage which he wishes read I will read it.

Sir Charles Russell.

I said you ought to read it.

The Attorney-General.

I assert that there is no passage of the kind. I am stating distinctly that there was brought home to Mr. Parnell the most distinct notice, and I have read every word of the reply, and if my friend knows that there is any passage in the reply to that statement let him read it or show me the passage, and I will read it. But what boots it to have this kind of interruption?

Sir Charles Russell.

There was no interruption. Mr. Attorney asked me whether I wished it read, and I said pray read it.

The Attorney-General.

I repeat it to-day for the purpose of showing your Lordships what was the judgment of the man competent to judge of the character of the organisation with which Mr. Parnell had been connected—that was the charge made in 1883 by Mr. Forster—which was the charge made in 1887 by the *Times*. Let me read it.

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*The President.*

But I understand your point is Mr. Parnell did not repudiate that.

*The Attorney-General.*

Certainly.

*The President.*

Let me look at it.

*The Attorney-General.*

That is all I wish to be done. I desire it to be understood that if there was any passage of repudiation I would read it, but for me to read something that was not a repudiation would not be to advance the matter one step further. Now, my Lords, I want to put if I can in relief before your Lordships some idea of what this is a reply to, what I may call crime in Ireland, speaking of it not merely by treating part of it, or picking out any particular crime, but as a whole, and I assert, my Lord, that two things will be found, and will be proved beyond all question before you, and one is this, that concurrently and coincidently with the strength of the Land League organisation crime is invariably found to follow the steps of the Land League—to mark its place with blood, and as a matter of distinct history to say that without the presence of the Land League organisation, without the speeches, the character of which I have referred to, you would have no such crime.

Now, my Lords, it really is most remarkable if you deal with the serious crimes. In the years 1877, 1878, and 1879, three years in the history of Ireland, there were 20 murders; in the years 1880 and 1881, and part of 1882, there were 50 murders. In 1883 and 1884 the Land League was, I will not use the word “suppressed,” but not being able to carry on its operations with the same success as before the passing of the Crimes Act, the murders were only one, and in the years 1885, 1886, and in the portion of 1887 until the Crimes Act came into force, they rose again to 19.

My Lords, my case will be that the incidents, the increase of murders in the years 1881 and 1882, was due to the action of the Land League, and in 1885, 1886, and 1887 to the action of the National League, and I will venture to show you, as I have said, that what these men did in the years 1885, 1886, and 1887 was the same as what they had done in the years 1880, 1881, and 1882. Take the case of firing at the person, take the case of shooting people, and crimes of the character of which I gave you several instances yesterday. In the years 1877, 1878, and 1879 there were 17; in the years 1880, 1881, and 1882 they rise to 148; and in 1883 and 1884 they fall to 16. In the years 1885, 1886, and a portion of 1887 they rose to 47 again.

My Lords, how graphic this is in connexion with the agitation to which the passage referred in Mr. Forster's speech if it be not the Land League agitation which brought about this increase of crime, what was it that did it, and my learned friends may try, and try, and try, but nobody else has ever been able to suggest a cause; they will possibly be cleverer than anybody else who has gone before them, and be able to do it. Incendiary fires in the years 1877, 1878, and 1879, 120; in the years 1880, 1881, and 1882, 776; from 120 to 776. In the years 1883 and 1884 they fell to 229; in the years 1885 and 1886, and a portion of 1887, 322. Firing into dwelling-houses in the years 1877, 1878, and 1879, 27; in the years 1880, 1881, and 1882, 325; in the years 1883 and 1884, 37; in the years 1885, 1886, and a portion of 1887, 111. Killing and maiming of cattle—a very common means of bringing pressure to bear upon those unfortunate people who possessed few horses or cows. In 1877, 1878, and 1879, 57; 1880, 1881, 1882, 300; 1883, 1884, 122; 1885, 1886, 1887, 183. In every case I refer to the broken portion of 1887, and not the whole year.

Now, my Lords, I refer to a matter which is particularly the subject or practice of the Land League, although I know there are many people who suggest it is not of much importance, and that is threatening letters and



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threatening notices. Still, I should think it a means of enforcing tyranny, and it may be used—the publication of threatening notices—as such notices of the character I shall read to your Lordships in the course of my speech. In 1877, 1878, and 1879, 604; 1880, 1881, and 1882, 5,536. Will my learned friend suggest that is not the Land League? 1883 and 1884, 796; 1885, 1886, 1887, 1,154. Intimidation—I do not care so much about the figures, because intimidation may mean one thing to one person, and another to another—it may be serious, and it may be not. I will mention the figures, but I do not attach much importance to them because, as I say, one man may say he is intimidated when another would not. 1877, 1878, 1879, 106. In 1880, 1881, 1882, 946. In 1883 and 1884, 106; 1885, 1886, 1887, 259. My Lords, when you take the individual counties in respect to which I read the speeches yesterday, the results are in some cases most remarkable. I do not want to weary your Lordships by the simple reading of a number of figures. I will read out typical instances, and I will take care, in the course of this case, there shall be given to your Lordships the most accurate means of testing and judging them.

Sir Charles Russell.

Are they from any official returns?

The Attorney-General.

Not from any official returns, except from Parliamentary returns. They are from published returns, which are as much open to my learned friend as they are to me. Now, I take Kerry, and take the case of firing at persons. In 1877, 1878, and 1879 there was not an offence; in 1880, 1881, and 1882, there were 26. Incendiary fires—in 1877, 1878, and 1879, 5; in 1880, 1881, and 1882, 78. Firing into dwelling-houses—1877, 1878, 1879, none at all; 1880, 1881, 1882, 23.

Did Mr. Parnell know this or not? I hope it will not be thought I was using Mr. Parnell's name as against other persons, I mean equally Mr. Biggar and other gentlemen, and I mention his name because of his prominent position. Did the Parnellite party know it or not; if they did not, how do they account for their ignorance? If they did know it, why is there not one part of that influence of which they are so proud used, at any rate it would do no harm, it might do some good in connexion with that matter. I ought to have given the figures in reference to Kerry, killing and maiming cattle 6 in the early period, 25 in the second period; threatening letters 4 in the early period, 508 in the second. Now I will take those serious offences particularly connected with those other matters, firing at the person none in the first period, 14 in the second; incendiary fires 1 in the first period, 24 in the second; killing and maiming cattle 1 in the first period, 12 in the second; threatening letters 22 in the first period, 285 in the second. Mayo, firing at the person 3 in the first period, 13 in the second; incendiary fires 9 in the first period, 15 in the second. Firing into dwelling-houses 4 in the first period, 18 in the second; killing and maiming cattle none in the first period, 49 in the second. I will now state the county of Cork.

The President.

Is it necessary to go through all this?

The Attorney-General.

No, my Lord, not in the least necessary.

The President.

It is sufficiently indicated I think.



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[Continued.]

*The Attorney-General.*

If I am well founded in the statement, your Lordships are as well able as any person to judge whether the effect does follow from the cause to which I have referred. There is an incident in connexion with these crimes and offences which I have not yet mentioned, and to which we attach very considerable importance. Ordinary agrarian disputes between two tenants, who fought about farms, were not uncommon. I say not uncommon, I did not mean they were frequent, they were known. Ribbonism is known—outrages which to a certain extent may be traced to the peculiar feature of the crimes and outrages which characterise these parts. Still it will be proved before your Lordships by persons who have been acquainted with crime in Ireland that this was violence which was practised upon a class who had been practically free from such outrage according to previous history. There were outrages. Of course landlords have been shot in the past, but that is one reason why I do not attach the same importance; though the record is ghastly enough, and persons have been killed from private motives, but this simply crushing out of the life of the small occupier, the small tenants, and practically preventing a man from taking land simply because it was the will of the League it should not be taken, was a completely new feature, and I think it will be found when the evidence comes to be examined that the characteristics of the way in which the outrages were worked to enforce the decrees of the League pointed it to be simply a means as would guarantee the destroying the power of the Government which existed, or was supposed to exist, and ought to exist in the hands of the Government of the day. I mention that because it is a matter to which I shall ask your Lordships to give special consideration, having regard not only to the figures, but to the class of persons on whom these outrages were committed, and who suffered by them, both in the period which I have referred to to-day, and to which the notice of Mr. Forster distinctly alluded, and the period to which I shall afterwards refer, by which I mean the years 1885 and 1886.

Adjourned to to-morrow at 10.30.



Supplac... don't stick in more.

Riches piled up, don't increase, you know,  
Plants want thinning that good crops may grow.  
Heaven has blessings for the cheerful giver,  
And tiny brooklets swell the flowing river,  
No command so pleasing e'er can be  
As "suffer the little ones to come to Me."  
Gifts are doubled that arrive with speed,  
Every smallest one assists our need.

Buy a ticket! you may win the prize,  
A single shilling makes the total rise.  
Keep in striving for the goal in view.







Davitt

4<sup>th</sup> Day 281

“Uncorrected Proof.”

SPECIAL COMMISSION ACT, 1888.

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ROYAL COURTS OF JUSTICE,

PROBATE COURT, No. 1,

Thursday, 25th October 1888.

*The Attorney-General.*

My Lords, I will proceed at once to the part of the case to which I referred, when I broke off last night, and that is the connexion between the persons who are charged in these particulars, and the American organisations and American conspiracies.

My Lords, the appearance of Mr. Davitt before your Lordships especially necessitates my referring to some other matters which, in all probability, it would not be necessary for me to bring at any length before you, had he not been now a party. There are certain incidents connected with Mr. Davitt upon which I shall have to give evidence. It is right I should make in my opening statement a reference to such parts of the charges as refer directly to him. May I remind your Lordships of what the charges in respect to this matter are. There are a great many passages in “Parnellism and Crime,” and a great many statements in my speech in *O'Donnell v. Walter* which relate to this part of the case. I am going to summarise them and not, of course, to read them again. We allege this Land League organisation, of which Mr. Parnell was the President, was, in fact, originated in America. We allege that it was a conspiracy which was hatched, plotted, and carried out with American money. We allege that among those who are members of the conspiracy in America, are persons who profess dynamite, who advocate the use of dynamite, who advocate assassination, and who refer to crimes of the worst description, as being matters which were incidents in the carrying on of the war. And, my Lords, we have put upon record that which leaves our meaning to be in no doubt, because if you will kindly turn to page 3 of the particulars you will find the names given of the persons with whom we allege the Parnellite alliance associated, and we have given a very brief outline of the position and character of those individuals. Further, my Lords, we have alleged in our particulars distinctly that the gentlemen whose names are included among the members of Parliament, and the other persons, were engaged directly in promoting and disseminating in Ireland literature which incited to sedition, to the commission of outrages, to boycotting and intimidation. There are several specially named, but among those names I shall refer particularly to “The Irish World,” “Chicago Citizen,” “Boston Pilot,” and “United Ireland,” which I have already mentioned to your Lordships.

My Lord, it will be part of my task to-day to indicate to your Lordships the evidence by which I propose to prove that the adherents of this organisation, whose names are mentioned, that the scheme which was being carried out, and avowedly professed by Mr. Parnell and his followers in the years 1880 1881, and 1882, was procured by the personal efforts of many of those whose names are included among the persons charged by “Parnellism and Crime”; and I shall distinctly point out incident after incident which will show, if it be true, that continuously from the year 1878 down to the year 1886, there has been the most intimate connexion between these parties, there has been the most active co-operation in carrying out those nefarious practices, which I have briefly summarised, which are referred to at much greater length in “Parnellism and Crime.”

My Lords, I should like to mention to you one or two of the names which have not yet been mentioned, and indicate to your Lordships something I shall



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ATTORNEY-GENERAL.

[Continued.]

show with regard to each of them. Patrick Egan's name has already been so frequently mentioned, I need not refer to ; Patrick Ford was the editor of the "Irish World," and I shall show he remitted thousands and thousands of pounds to the Land League, and the National League, the result of subscriptions in America. Brennan, the secretary of the Land League, I need not mention him, it is in connexion with the American part of the other case, I have to refer to him later. Patrick J. Sheridan, the same man I referred to as the Land League organiser, and as the man who organised crimes of outrage and violence, and who began the year 1883, and who after about the month of July 1883,—I think probably earlier, but certainly after that time—was intimately connected with the "Irish World," as you will find. Then Dr. Breslin, a member of the Irish Republican Brotherhood, who it is suggested—I do not know whether I shall be able to show—that he aided the escape of Stephens from Richmond gaol. Father J. Shea ; I have mentioned his name in connexion with the promotion of outrages. Condon, who was sentenced to death for the murder of Sergeant Brett, at Manchester, and afterwards that sentence was commuted to penal servitude for some number of years, and he subsequently went to America ; and you will find him in America in association with a number of gentlemen, actually in personal association with a number of gentlemen, many of whom are mentioned in the particulars. John Finnerty, who I shall show to your Lordships, by the statement of Mr. Parnell himself, to have been a dynamitard. James Redpath, a person I referred to yesterday, and O'Donovan Rossa, a man who continually advocated crimes of the worst description. I think I have mentioned enough names. I refer to them in this way, in order that I may not have again to describe each one, but as I deal with the incident in which the name of each person appears. Two other names I ought to have mentioned, Denny, a Fenian, and E. J. Rowe (I think his Christian name is) was president of one of the branches of the American League. My eye does not catch E. J. Rowe.

Sir C. Russell.

No. If you wish to add him there is no objection.

*The Attorney-General.*

I am quite aware of that. I am trying to see whether it only occurs in the story of the evidence I am about to deal with ; but I think Sir Charles is right ; his name is not mentioned.

Now, my Lord, I shall first have to deal particularly with the case of Mr. Davitt and—

Sir C. Russell.

I do not think Mr. Davitt's name appears.

*The Attorney-General.*

I stated so yesterday, when Mr. Davitt appeared. Your Lordship then said he should have a copy of the Particulars given to him, and I also stated if it was necessary to formulate any further charges I would give Mr. Davitt a copy of them ; and I may say I shall be able to put in writing, or to see that there is put in writing in the course of the next two days, details of some further matters which I think will be mentioned particularly in reference to Mr. Davitt's case.

Now, my Lord, your Lordships will find on admissions made by Mr. Davitt himself, that he, even before the formation of the Land League, secured the co-operation of Patrick Ford in the "Irish World,"—nay, more, that he secured the co-operation of another of the papers mentioned in the list, which I read a few moments ago—the co-operation of the "Boston Pilot," but the extracts which I have to read to your Lordship to show the



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[Continued.]

character of the literature which was being disseminated by the thousands by some of the gentlemen whose names are mentioned, and in respect of which thanks were repeatedly sent over by the most prominent members of the Irish Land League and by many of the most prominent persons whose names are mentioned in the list of persons. I shall show you that this adherence and support both of Patrick Ford and his newspaper was secured by Mr. Davitt himself, and that by Mr. Davitt's own admission. It appears that Mr. Davitt was introduced to Mr. Patrick Ford in the year 1878, and at interviews between Mr. Davitt and Mr. Ford, Mr. Ford had remonstrated with Mr. Davitt for a somewhat halting and half-hearted policy. I should have thought from what I am going to put before your Lordships presently, that what Mr. Davitt was then advocating went far enough, but be that as it may, it did not go so far as, at first, to secure the active support and co-operation of Mr. Ford.

I shall show your Lordships, and I say this by anticipation, that for years Davitt was in communication with Ford, and that he has stated publicly that throughout the whole of the agitation with which he was connected from 1880 to 1884, Patrick Ford was his counsellor, his guide, and his friend. And, I think, it will turn out as I have said that the dissemination of the literature and the incitements to crime which were practically in every issue in the columns of the "Irish World" was a part of the scheme which it was necessary to carry out in order that the complete programme might be carried into effect by the one organisation.

Your Lordships will find that after interviewing Mr. Ford, Mr. Davitt succeeded in getting Mr. Ford to support the scheme which he subsequently enunciated. I shall be able to show to your Lordships in a very few moments, in Davitt's own language, what that scheme was; but I am stating in the first instance, that the initial steps that were taken by Davitt in order to secure Ford's adherence, were commenced by Ford being unwilling at first for his paper or his organisation to assist in any scheme which he did not think went far enough, and at that time he thought Davitt's scheme did not go far enough. I think I will now at once state to your Lordships what was Mr. Davitt's own view before the year 1879, at the time of the foundation of the Land League, as to the policy he intended to advocate. For I am now about to show to your Lordships that the policy of the Land League, the policy that Mr. Parnell accepted, the policy which the organisation of which Mr. Egan was the treasurer, and Mr. Biggar the secretary, and the other active supporters, members of the executive council, that policy was hatched in America, and that Davitt expounded it, and, as I said on Monday, it was the acquiescence of all parties in following this policy which enabled Mr. Parnell to command the enormous resources of American money which he did command. I will read to your Lordships a statement of Mr. Davitt's himself on this matter. I believe that statement was made in August, 1878, in a public statement of one of Mr. Davitt's first visits to America. I shall be able to show that has been repeated by Mr. Davitt. This is a verbatim copy, as I am instructed, of what Mr. Davitt stated that he was anxious lest the main question national independence, should be lost sight of in the whirl of an agitation over minor grievances where scheming politicians were liable to get the upper hand. At private conferences, held everywhere he lectured, Davitt solemnly pledged himself that every effort of his would be devoted to avert this danger, and that Irish independence should be always kept as the beacon light ahead. On the faith of these pledges, repeated many times afterwards, the support of the Nationalists of America was secured to the new programme, and Davitt enabled to preach the gospel in Ireland.

Now, my Lord, I hope I may be pardoned from repeating from time to time references to parts of the case to which I and my friends who are with me attach very great importance. We say, that unless there had been this professed and distinct announcement that what was being done by Mr. Parnell and his followers at home, was with the view of attaining the same ends as



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[Continued.]

were being aimed at by the American section, they never would have got the support of the American section, and I shall show your Lordships that it was impossible for Mr. Parnell, and impossible for the followers of Mr. Parnell, to break with the extreme American section. I shall show your Lordships that, taxed with the fact that the American section had been the advocates of communism, the advocates of assassination, the advocates of great outrage, taxed with that fact in the year 1883, through the years 1884, 1885, and 1886, the same intimate relation is kept up, distinct notice given, if he was ignorant of it before, to Mr. Parnell and others of his followers, that the persons with whom they had been associated were professed dynamitards, were the advocates of assassination, and that in the face of that notice he, and his colleagues with his knowledge, went on associating with those persons. I say I shall be able to satisfy you that such were the terms upon which Mr. Parnell and his allies were with reference to the American section, that he dare not break with them, that the breaking with them meant the withdrawal of the money by which the Land League was doing its work, and without which the Land League could not do its work.

Now, my Lords, I read that statement made in 1878, in which Davitt had said the Irish independence should be the beacon light, and that he would take care that it should not be lost amongst the of politicians who might be dealing with minor points. Later in the same year, in the month of September, in the course of an address, Mr. Davitt made this statement. I will undertake to prove that this is Mr. Davitt's statement.

“ Twelve or fourteen years ago, my boyish heart thrilled with  
 “ admiration for the men who confronted Ireland's foe, and taught  
 “ from the dock and the prison the undying principles of Irish  
 “ nationality. I became an humble disciple of the same, and an  
 “ enemy to the enemies of my country. In my riper years I have  
 “ adhered to the principles I then imbibed, and when their profes-  
 “ sion entailed a like penalty to that which Dr. Luby, Mr. Devoy,  
 “ General Bourke and many others had to bear, I trust I endured  
 “ it in a like spirit to theirs, and left behind me a prison record of  
 “ which my countrymen need not feel ashamed.”

I will mention to your Lordships that Burke was convicted of high treason on the 24th April 1866. Devoy I mentioned as being a convicted Fenian, and my impression is, that Luby was also a convicted Fenian.

*Sir C. Russell.*

It is printed wrongly in the Particulars here, my Lords. It ought to be 1866. In my copy it is 1886.

*The Attorney-General.*

It is only a question of the date of Burke's conviction, but Sir Charles is quite right. 1866 is the right date. I am not dealing at all with the Fenian part of this, except as an incident in the story. As a matter of fact, Davitt was tried before Lord Chief Cockburn, in London.

*Mr. Justice Smith.*

What year ?

*The Attorney-General.*

1868, my Lord.

*The President.*

Burke was already in prison in 1866. You are speaking of Burke ?



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[Continued.]

*The Attorney-General.*

Yes.

*The President.*

He was in prison in 1866; I had forgotten the name, but the fact was present to me. Burke was confined in Clerkenwell Prison.

*The Attorney-General.*

Yes, I do not think that Burke is the same.

*Sir C. Russell.*

It is not the same Burke.

*The President.*

That accounts for it.

*The Attorney-General.*

It is only a matter which requires to be put right at once. The delivered Particulars print it quite right. "Thomas F. Burke" (page 3) was convicted of high treason on the 24th April 1866, in Dublin. Somehow or other, Sir Charles' copy had 1886, and that is what led to his being good enough to call my attention to the mistake in the Particulars. I will read on:

"You are already aware that my stay in America is to be of short duration, and as a public expression of my opinions as a Nationalist would be injudicious, I, therefore, refrain from any allusion to them, beyond saying that my imprisonment has not changed my political convictions in the least, nor lessened my faith in the ultimate triumph of the cause in which they are enlisted."

I rather think that at this time Mr. Davitt was on ticket-of-leave.

"I am under a sincere obligation to the officers and men of the Irish volunteers for the compliment conveyed in a special invitation to their annual excursion, and thus enjoy at once the gratification which the society of so many of Ireland's exiles afford me, and the, to me, highly interesting spectacle of beholding for the first time in my life companies of Irish soldiers armed and uniformed in the National cause. Face to face with the enemy of our country since my birth, I feel proud to-day, while gazing upon manly forms and resolute arms pledged to the service of Ireland alone."

Mr. Davitt, I believe, will be found to have been there for the purpose of enlisting the sympathies of the Irish Americans, or the Irish American party, in the movement of which he was at that time the active supporter.

Two resolutions were passed at a meeting of the 24th of September 1878, in the course of the same year.

*Sir C. Russell.*

The last date you gave was 1879.

*The Attorney-General.*

I do not think I did. I think I said September 1878. I do not think I made a mistake. Of course I will correct it if I did. These are the resolutions of the 24th of September 1878. They were proposed by Mr. Devoy, the Fenian, in the presence of Mr. Davitt.



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[Continued.]

“ That we deem the present a fitting opportunity to proclaim  
“ our conviction of Ireland’s right to an independent national  
“ existence; that as Ireland has never forfeited her right to inde-  
“ pendency, and as no action on the part of England has given any  
“ justification for an acceptance of the union we hereby protest  
“ against all attempts at compromise, and renew our resolve to  
“ work for the complete overthrow of British domination. That  
“ the landlord system forced on the Irish people by English legis-  
“ lation is a disgrace to humanity and the civilisation of the present  
“ century; that it is the direct cause of the expatriation of millions  
“ of the Irish race and of the miserable condition of the Irish  
“ peasantry; that as the land of Ireland belongs to the people of  
“ Ireland the abolition of the foreign landlord system, and the  
“ substitution of one by which the tiller of the soil would be fixed  
“ permanently upon it and hold directly of the State is the only  
“ true solution of the Irish land question, a solution which an Irish  
“ republic alone can effect. The resolutions were unanimously  
“ adopted.”

Now, my Lords, will you just consider for a moment what the starting point of this organisation was. It was working with the knowledge of Mr. Parnell. I will show your Lordships the absolute and complete adherence to all this of Mr. Parnell and his followers. Will your Lordships see what was the key for this combined action and combined organisation? As to the American section it is necessary to state that there was no compromise, but the complete overthrow of British domination, and I shall put before your Lordships latterly that at hundreds of the meetings at which speeches were delivered speeches were made at the same time supporting the view of complete separation. Therefore for the American section, as I have stated to your Lordships many times, it was essential that this principle should be the principle of the organisation for the people at home. The abolition of the landlords was to be the correlative inducement to join in the organisation and in the object of the organisation, and through the attack on the landlords, as I have at some length explained to your Lordships before, so as to satisfy the greed of the land hunger which was well known to exist in the minds of the Irish peasant, and so as to lead him to believe that by adherence and obedience to the rules and laws of the Land League there would be this ultimate eviction of the Irish landlords from the soil of Ireland, and the land would become to be the land of the tenant occupier.

I wish very briefly to pass over what happened in the same year, but it is necessary I should give your Lordships the outline of it to show the continuous connexion of the men whose names I have been reading to your Lordships to-day. This was on the 24th September. Two days afterwards, on the 26th September, there was a meeting to welcome Condon and Meledy. Condon was a man whom I mentioned as being originally sentenced to death for the murder of Sergeant Brett, but he was subsequently released. I cannot tell your Lordships, but I rather think that Meledy was also mixed up with the murder of Sergeant Brett. I do not remember at the present time, and I do not wish to make any statement unless I have it before me. At that meeting besides Davitt there were John Rossa, John Breslin, Luby, Devoy, Thomas F. Burke, John Walsh, and Patrick Ford. All those were there to welcome Condon and Meledy, and this address was, in Davitt’s presence, presented to Condon and Meledy.

“ You were tried and convicted in a British court for par-  
“ ticipation in a movement for the liberation of our native land—a  
“ movement in which we are proud to have borne a part, and which  
“ to-day is possessed of a more vigorous vitality than when the  
“ three confessors of our political faith gave up their lives for  
“ Ireland on the Manchester scaffold.”



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[Continued.]

Your Lordships remember the three professors of the political faith were Allen, Larkin, and O'Brien, whose names I referred to in several of the speeches which I was reading to your Lordships on the first and second days. On the 13th October in the same year at Brooklyn, in the presence of Devoy, Breslin, Meledy, and a man named Carroll, Davitt made another speech. The particular parts of the speech to which I wish to refer are these. He said—

“ He had no faith in Parliamentary representation, through the  
 “ Home Rule party, the repeal party, or the disruption party.  
 “ There is not, he said, a single Irish Nationalist in the British  
 “ Parliament there to represent and proclaim to the world the views  
 “ of the Irish people. He was in favour of sending representatives  
 “ imbued with Nationalist ideas to the British Parliament, men who  
 “ would not there fear to give expression to the feelings and  
 “ demands of their constituency, and give the world to understand  
 “ what the Irish people want. He was in favour of sending  
 “ Nationalists to Parliament as well as electing them to every office  
 “ possible from that down to town commissioners or poor-law  
 “ guardians. He would regret very much if cunning England  
 “ should succeed in her plans to get the Catholic hierarchy to try  
 “ and crush out the national spirit. The lecturer reviewed the  
 “ records of the Home Rule Members of Parliament and regards  
 “ Mr. Parnell, the obstructionist, as the best Irish representative in  
 “ the British Parliament. While he did not think Mr. Biggar pos-  
 “ sessed as much ability, he had the honesty and fearlessness of Mr.  
 “ Parnell, whom he acknowledged as his leader.”

and he referred to Mr. O'Connor Power, and he said that Mr. O'Donnell had disgracefully betrayed the trust of the Irish people. Mr. Devoy spoke in Mr. Davitt's presence, and this is what Mr. Devoy said :

“ I endorse the views set forth in the very able lecture you  
 “ have just heard from Mr. Davitt, and that I fully approve of the  
 “ public policy he proposes for the National Party. I think, how-  
 “ ever, that some portions of it require further elaboration and  
 “ plainer speaking. I think the National Party should take a more  
 “ active part on (*sic*) the public life of the country and endeavour  
 “ to mould public opinion at home and abroad for the benefit of the  
 “ National cause. I think we have remained in the background too  
 “ long, and allowed the country to be misrepresented. I think the  
 “ time has come when we should step to the front in the broad light  
 “ of day and proclaim to the world what we want; that it is time  
 “ to push aside the men who misrepresent Ireland in Parliament  
 “ and in the local public bodies throughout Ireland. Until this is  
 “ done we shall be misunderstood on the continent of Europe, and  
 “ even here in America, and our cause must suffer in consequence.”

He then says in the same speech that Ireland would never be satisfied with the bastard federal connexion proposed by Isaac Butt. Then there is a repetition of what I have just read, and he says this :—

“ There is one clause in the platform proposed by Mr. Davitt  
 “ that I would like to see further elaborated and made more clear  
 “ and distinct. I mean the clause about the land question. The  
 “ land question is the question of questions in Ireland, and the one  
 “ upon which the National Party must speak out in the plainest  
 “ language. I am, of course, in favour of stopping evictions and  
 “ encouraging measures looking towards the establishment of a  
 “ peasant proprietary, but I would go further than that. I think  
 “ the only true solution of the land question is the ABOLITION OF  
 “ LANDLORDISM. (Applause, and cries of ‘That's it.’) The  
 “ landlord system is the greatest curse inflicted by England on  
 “ Ireland, and Ireland will never be prosperous or happy until it is



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[Continued.]

“ rooted out. The land of Ireland belongs to the people of Ireland,  
 “ and to them alone, and we must not be afraid to say so. . . . .  
 “ Now, I believe in Irish independence, but I don't believe it would  
 “ be worth while to free Ireland if that foreign landlord system were  
 “ to be left standing. (Cheers.) I am in favour of sweeping away  
 “ every vestige of the English connexion and this accursed landlord  
 “ system above and before all.”

Now, my Lords, I do not think if those speeches were delivered in Mr. Davitt's presence, whatever view may be taken of his conduct, that he will deny the substance or accuracy of the reports of any speeches which were, in fact, delivered by him. Whatever may be the view of that kind of policy, the importance of it for the purpose of the charges made in “ Parnellism and Crime ” for the purpose of to-day is this, that the “ Times ” have said that the object of the Land League, the object of Mr. Parnell and the supporters whom he sent down, and the speeches he made himself was to sweep away landlordism, was to root it out of the ground in the way in which he suggested it was by an organisation which tyrannised over the poor tenant, the person who never before had been attacked in order to make it impossible for him to carry out the relations which had previously existed between landlord and tenant. I, at any rate, was justified in saying that if I prove this before your Lordships, or if it be admitted by Mr. Davitt to be a substantial and correct statement of the programme which he was enunciating in the year 1878, which was before the actual formation of the National League, at any rate I shall have gone some step on the road of proving to your Lordships that this which you heard enunciated in the speech of the Irish Members when I was reading the reports of 1880, 1881, and 1882, had been hatched, had been devised, had been planned in America by Mr. Davitt, who was obtaining the support of America, and was not simply and solely the arrangement or the plotting of those who had to do with the Irish organisation. And it is one of the main and principal charges in this indictment—it is one of the main and principal charges in the indictment of conspiracy against these men that it was a conspiracy with the American-Irish, not the Americans—that it was a conspiracy that these men who did advocate for years and years, and still advocate these iniquitous and nefarious modes of carrying on what is supposed to be a *bona fide* political agitation, and a *bona fide* political organisation. As far as I recollect the date, Mr. Davitt came to England again in the autumn of 1878—my impression is that he did, I will not be certain, I do not make any point about it. Now, my Lord, your Lordships will find a very large number of references which it is unnecessary for me to read at the present time.

Sir C. Russell.

When did you say ?

*The Attorney-General.*

Either at the end of 1878 or the beginning of 1879. I merely meant to indicate the visit to America—a short visit which was to advocate these principles and obtain a very large amount of support, and he came back to Ireland to help those with whom he was in communication. You will find in accordance with what I shall have to put before your Lordships, as a proof that this arrangement—this combination between the extreme section of the home party—was constantly spoken of as the new departure. It was, as I shall endeavour to explain, so far as I can trace the history, the first time an attempt had been made to bring the Fenian organisation, or the outcome of the Fenian organisation, by which I mean the extreme party in America, in touch with the land agrarian agitation; and in so far as it gave to Mr. Parnell a power in Parliament which he never had had before, it was eminently successful. But, my Lords, what the “ Times ” has said, and what I have repeated many times in



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[Continued.]

the course of my lengthened address to you, is this, that that power only could exist by the reign of terror and intimidation which was rendered fatal by the crimes and outrages which were committed, and nothing else could possibly give the force, the vitality, and the power to the organisation of which Mr. Parnell was, in England and Ireland, the representative, and that as a matter of fact. And in connexion with that I must refer to what I mentioned yesterday afternoon, that there was the creation of crimes which had never been heard of in Ireland before. My Lords, there are in the catalogue I shall have to prove before you hundreds of injuries to persons simply for paying rent. My Lords, I believe it will be proved before you that an outrage upon a person for paying his rent was practically unknown before the year 1880. I make this statement boldly, and my learned friend will have an opportunity of checking it. I believe it will turn out that the mode of tyrannising by outrages or by firing at persons simply because they had fulfilled their obligations to their landlords, I think was absolutely new, and in a few months, my Lords, I may say it grew to be a system, and if I satisfy your Lordships that Davitt, in 1878, got the adherence of the American section by telling them that independence would be secured by the uprooting of the landlord class—by the breaking up of the landlord class—if my statement to your Lordships that it was only if the party uprooted the landlords by attacking a class they had never attacked before, if my learned friend is not able to displace those facts, I submit the logical consequence which is conclusively proved is this, that Mr. Parnell and his organisation did rest upon that organised conspiracy and crime and nothing else. Now, my Lords, I mentioned to you that on the occasion of his visit, Mr. Davitt secured the “Irish World.”

I am not able to give the exact date, but I shall be able to prove that interviews took place between him and also Ford, and that he also secured both. It does not seem to have been as much value to him as the interest of the “Boston Pilot,” which was managed by J. P. O'Reilly, who was, I believe, a Fenian, whether connected or not I do not know. Now, my Lords, there was in 1878 a further statement by Mr. Davitt of what I call a new departure or the platform. My impression is it was at Boston upon the 8th December.

Mr. Davitt.

I rise to say I find I did not come back in 1878; it was early in 1879.

*The Attorney-General.*

I do not attach any importance to that, but I am referring to this particular case, a statement of Mr. Davitt's published in Mr. Cashman's books, and edited by himself. He will find it. I merely mention this particular instance that I am satisfied I am quoting something that Mr. Davitt will not repudiate it.

Mr. Davitt.

I mean to say that I had nothing to do with the editing of Mr. Cashman's book. It was subsequently corrected on this side of the Atlantic.

*The Attorney-General.*

I think it will be better to permit me to make my statement as to what I am prepared to prove, and if I make a mistake they will call upon me to correct it and make whatever observations are necessary. So far as I know I shall be able to prove the substantial accuracy of the reports. If there are any minor matters which need to be corrected, I am perfectly willing to be corrected by Mr. Davitt or Sir Charles Russell, or anybody who pleases.

“ ‘How is it that the Nationalist party is numerically the  
“ ‘strongest in sentiment and sympathy while not so in action?’ ”



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[Continued.]

“ Assuming the position of a small Tipperary tenant farmer he  
 “ answers. ‘The Nationalist party tells me that when indepen-  
 “ dence is won, I will no longer be at the mercy of an English  
 “ landlord. . . . Yellow meal porridge is a more substantial  
 “ meal than visionary plenty, and if the Nationalists want me to  
 “ believe in and labour a little for independence they must first  
 “ show themselves desirous and strong enough *to stand between me*  
 “ *and the power which a single Englishman wields over me.* . . .  
 “ Let them show that the social well-being of our people is the  
 “ motive of their actions and aim of their endeavours, while  
 “ striving for the grand object ahead, and then the farming  
 “ classes in Ireland will rally round them to assist in reaching  
 “ that object.’ ”

My Lords, it is evident if that be even a correct paraphrase of the document, it is clear the object he had in view was what I have been endeavouring to explain; namely, to get upon their sides a class who previously had no sympathy, and how, by tyranny, by intimidation, by dealing with these men who were afraid for their lives of resisting the action of the Irish League. Nay more, I say this, and I give my friend the benefit of it, it was by appealing to the self-interest, to the greed of the Irish tenant, that this organisation was able to gain to a certain extent its power, because it was all that which I do not hesitate to say before you is illegal, has been declared to be illegal, to be a conspiracy and combination to prevent the men from paying their rent they were willing to pay, that they were able to coerce first on their side who did not want to pay, and secondly to get under their thumb, and worse than under their thumb, those who did not pay because of the vengeance that might come upon them. As I have said, I have taken a series of papers of Mr. Davitt's in America, I have taken the resolutions to which he gave adherence, I have taken his own explanation of the programme he was prepared to advocate, and I say, with very great deference to any subsequent criticism, that that shows at once the programme which had previously been carried out in Ireland came from America, came from the American section, and did not come in any shape or way from the Irish Nationalists on this side.

Now, my Lords, Mr. Davitt having utilised the programme of the new departure, Mr. Devoy representing the Irish Revolutionists, gave their support to the new movement as it was called. I said it was frequently called the new departure. In that case it was called the new movement. The result is this, that he had the Revolutionists, the extreme party, it was not known, it was hoped the power which would control the tenant interest in Ireland to work with the common object, and that being so, your Lordships will find there was no difficulty then about subscriptions coming from America, and with that object in view, your Lordships will find Mr. Ford very shortly doing all he could to promote this common purpose which had been so initiated by Mr. Davitt. I am not sure whether Mr. Egan was there at that time in America. I rather think that it will turn out he was. But it does not matter whether he was, and I only mention it for the purpose of fixing the date; but immediately Davitt succeeded in obtaining the allegiance of the American section to the new programme, he endeavoured to secure the support of Mr. Parnell and his followers, and, as far as we can gather from what I shall be able to put before you, the first negotiations with Mr. Parnell and his followers came from Mr. Davitt, and not from Mr. Parnell, to the American section. I only think I shall be able to show before you that Patrick Egan and Thomas Brennan were the first that he consulted. Patrick Egan, who was the treasurer subsequently of the Land League, Thomas Brennan, who was his secretary, and a very remarkable thing, my Lords, to which I call your Lordships' especial attention in connexion with what I was arguing yesterday as to Mr. Parnell's position after the Phoenix Park murder. I believe it will be found from Mr. Davitt's account of his interview with Mr.



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[Continued.]

Parnell, that Mr. Parnell, though favourably impressed with the utterances of the new policy, hesitated about throwing himself right into it, fearing he might be pushed further than he deemed it prudent to go.

Now, my Lords, I believe it will turn out that there was reluctance on the part of Mr. Parnell to be dragged into this conspiracy in the first instance. On what ground? On the ground that he might be pushed further than he might deem it prudent to go. What does that mean? Being pushed further into connexion with O'Donovan Rossa, Condon, Finerty, and being put in connexion with the blowing up of public buildings, the sacking of London, Manchester, and other cities, as I shall show you later on was advocated by Ford and others in his papers, and I say it does throw a great light upon the growth of the conspiracy, not upon the way which the constitutional party was dragged in, the way which landed them in the mire and the slough of despond, a connexion they never have been able to shake off, and I think your Lordships will come to the opinion it is very doubtful that they could shake it off to-day. The position was this, that Mr. Parnell at that time feared lest he would be brought into some false position, and hesitating to join a connexion upon the platform upon which Mr. Davitt had secured the allegiance and support, and the adherence of the American party.

Now, my Lords, early in 1879, before the formation of the Land League, the agitation commenced in Ireland, and commenced by a speech of Mr. Davitt at Mill Town in County Galway. I cannot give you the correct date, I am afraid I cannot give it nearer than the beginning of 1879 at present, but I will undertake to prove the exact date. This will be proved before your Lordships to be a correct report. As far as I can gather, Mr. Davitt said I would advise the tenant farmers to feed themselves and their children, to live comfortably and decently, to keep their cabins neat, and send their children to school, and if there was sufficient left, to pay the landlord the rent they demand. He continued, what had organisation done for Ireland, the organisation to which he had the honour to belong, the Fenian organisation? That organisation disestablished the church, so said Mr. Gladstone. Well, an organisation of the tenant farmers would disestablish the landlords in half the time. I think it will turn out, my Lords, that some of the gentlemen who are named made speeches at that same meeting, but I admit it was before the formation of the Land League, therefore I cannot say for certain as I do not wish to read the speeches. I do not mean prior to the formation of the Land League there was an attempt of what I may call an universal organisation. Now, my Lords, in August 1879, it became necessary to start the organisation.

Sir C. Russell.

When was the last?

*The Attorney-General.*

The beginning of 1879, the Land League was actually formed at the Imperial Hotel, Dublin, on the 21st October 1879. I paused to get the correct date from my note, Mr. Parnell being the president, Mr. Kelly, Mr. Michael Davitt and Brennan were the honorary secretaries, Mr. Biggar, Mr. Patrick Egan, and Mr. Sullivan being treasurers. It was necessary to obtain the funds for starting the Irish Land League. Where did those funds come from? My Lords, I made a statement supposed to be a mistake which turns out to be no mistake. I said the money which was necessary to start "United Ireland" came in from America. I believe it will be found absolutely correct that that was so, but I, thinking at the time I had made a mistake, I referred to the incident I am now relating, namely, that it being necessary to start an auxilliary movement, funds were obtained by Mr. Davitt, the money came from a fund existing in America, the distribution of that fund Mr. Davitt took upon himself, but the money was supplied from an



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[Continued.]

American fund, and that is Mr. Davitt's own statement, that in August 1879, two months before the Land League was organised, seeing some money was necessary. It is in the first person, and it would appear to be perfectly *verbatim*.

*The President.*

Whose words are these?

*The Attorney-General.*

Mr. Davitt's:—

" I put myself in communication with Patrick Ford, John Boyle, O'Reilly of the 'Boston Pilot,' John Devoy, the late Patrick Mahon of Rochester, Dr. William Carroll of Philadelphia. I represented to them as personal friends of mine, and representative men in America, the importance of this agitation in Ireland. I told them the agitation had been carried on to that point at the personal expense of a few men, and that in order that it should be made a great movement, to start an auxilliary movement in America, so as to allow those who had been driven out of Ireland by landlordism, to co-operate with us in our efforts to drive landlordism out in turn."

Then he goes on to state, my Lord, that he took from a fund called the National Fund (the object of that National Fund may not be without importance later on) 303*l.* 8*s.* That is a personal debt, for which he considered himself responsible, and that when Mr. Parnell or Mr. Dillon desired that that should be repaid subsequently, Mr. Davitt would not allow it to be repaid, because he considered it was a personal debt due to himself. I referred to that matter yesterday when I was referring to the figures in advance. I think your Lordship will find the National Fund was another name for the Skirmishing Fund, and I think your Lordship will find that the Skirmishing Fund was a fund which was started to lay the great cities of England in ashes. I think your Lordship will find that the object with which the subscriptions were obtained were, if necessary, that the money might be available for acts of the greatest violence. My Lord, it does not matter for the particular purpose that I am dealing with at the present moment, whether the 300*l.* came out of one purse or the other. The significance of it is this, that this was not a spontaneous effort of some gentleman to carry on an old agitation. It was necessary for a complete organisation upon entirely new lines, and there was a necessity for a very considerable sum of money even to start with; and your Lordship will find that it was started with such energy and spirit that branches were, practically speaking, in the space of some two or three years established by the hundred wherever they could gain any footing in Ireland, and the expenses of all those branches, your Lordship will have no doubt, came from the subscriptions which were subsequently poured in in the same way as the previous amounts had come from this fund, there being the necessity to provide the money which would be required.

Passing as rapidly as I can over the year 1879, I wish to call your Lordship's attention to a statement of Mr. Davitt in writing of the 21st of May 1884. I of course am not going to pass over the intervening period, but I wish to show your Lordship that the statements which I have made with reference to Mr. Davitt are only slightly qualified by the statements he made in writing afterwards. But what is perhaps more important I am about to show to your Lordship that this theory, this principle of the complete destruction of Irish landlordism, was admitted by him to be the main and principal object of this conspiracy, this organisation of which he was the founder.



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[Continued.]

[\* " Ballybrack, Dublin, May 21, 1884.

" To the Editor of the 'New York World.'

" Dear Sir,

" A recent issue of the 'World' contains what appears to be  
 " an official communication from Mr. Alexander Sullivan, and as  
 " the able President of the National League of America" (makes  
 certain statements. Davitt desires to correct them).

" Mr. Sullivan says:—

" 1. 'The Land League was of American origin.'

" 2. 'Its platform was drawn in the City of New York  
 " ' by Irish Nationalists residing in America, of whom the best  
 " ' known is Mr. John Devoy, in consultation with Mr. Michael  
 " ' Davitt on his first visit to the United States in 1878.'

" 3. 'The first plank of the platform was a declaration for self-  
 " ' government.'

" 4. 'The second advocated peasant proprietary.'

" 5. 'After the platform drawn up in New York had been  
 " ' thoroughly discussed by the Irish Parliamentary party, it was  
 " ' agreed to by them.'

" 6. 'In all his speeches in Ireland prior to the foundation of  
 " ' the Land League, and subsequent to its foundation, and pre-  
 " ' ceding his arrest, Mr. Davitt advocated peasant proprietary as  
 " ' the only mode of settling the land question satisfactorily to the  
 " ' Irish people.'

" The most of these statements are contrary to facts, and the  
 " remainder are either totally or partially inaccurate, while they  
 " are all, I am sure, advanced with no intention of misinforming  
 " the opinion of your readers.]

" 1. The Land League was not of American, but of Mayo origin,  
 " as no such name or organisation was heard of previous to the  
 " holding of a county conference in Castlebar on the 16th of August,  
 " 1879, at which the National Land League of Mayo was established,  
 " and a declaration of principles and a policy of agitation proclaimed  
 " upon which the subsequent National Land League of Ireland was  
 " modelled."

I am pointing out that it will make very little difference where the name  
 was first heard of. I am dealing with the substance, not the form.

" 2. The platform of the Land League from which Mr. Sullivan  
 " quotes was not drawn in the city of New York by Irish Nationa-  
 " lists, but in the Imperial Hotel, Dublin, on the 21st of October,  
 " 1879, by Messrs. Parnell, Egan, Brennan, Kettle, and your humble  
 " servant; or, more correctly speaking, by two of these gentlemen  
 " in consultation with the rest."

Yes, my Lord, but Mr. Davitt forgets, or probably then forgot, that he had  
 previously pointed out that the platform on which he believed and hoped to  
 unite all the parties had previously been, if not constructed, designed in the  
 meetings in America in 1878 to which I have referred, as will appear distinctly  
 by his own speeches.

" 3. The first plank of this platform was not a declaration for  
 " self-government, nor was there any allusion to or demand for  
 " self-government in the platform of the Land League, as adopted  
 " at the initial meeting in the Imperial Hotel in October, 1879, and  
 " from which Mr. Sullivan quotes correctly in reference to a plank  
 " which was adopted thereat—namely peasant proprietary."

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\* The part within brackets was not read.



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[Continued.]

Then he deals with some matters which do not directly bear upon the point I am dealing with :

[\* “ 5. (*sic.*) The platform to which Mr. Sullivan alludes—and  
 “ to which I shall refer bye and bye—as having been drawn up in  
 “ New York, sent to the Irish Parliamentary party, thoroughly  
 “ discussed, and then adopted by them, was not sent to such party,  
 “ for the best of reasons, such party did not come into existence  
 “ until after the general election of 1880, when Mr. Parnell super-  
 “ seded Mr. Shaw as leader, from which event the history of what  
 “ is now known as the Irish Parliamentary party commenced, and  
 “ the transaction, about the real nature of which Mr. Sullivan is  
 “ somewhat confused, took place in 1878. The resolutions drawn  
 “ up in New York (I believe, in the fall of 1878) with which Mr.  
 “ Sullivan confounds the platform of the Land League as adopted  
 “ in Dublin in 1879, were cabled to a third party here in Ireland  
 “ in the name of a few well-known Nationalists of New York, with,  
 “ I believe, the request to lay them before Mr. Parnell. The  
 “ gentleman to whom they were cabled dissented from the pro-  
 “ posals contained in these resolutions, which subsequently became  
 “ known as the ‘New Departure,’ but had them forwarded to Mr.  
 “ Parnell, who, so far as I know, never replied to them, or brought  
 “ them before his colleagues for any discussion or action whatever  
 “ . . . . .”]

Mr. Michael Davitt.

Why not read it all ?

*The Attorney-General.*

I will read it all with the greatest pleasure, but I think if I am to read the whole of the speeches, instead of my address occupying ——

Mr. Michael Davitt.

I do not insist upon it.

*The Attorney-General.*

I will read anything that is fair, but there is nothing to qualify it. I have not the slightest objection. If it is thought at any time there is anything to qualify what I am reading, I will read it.

Sir C. Russell.

We have not copies.

*The President.*

Are you going to hand in this ?

*The Attorney-General.*

Not this particular document.

Mr. Michael Davitt.

I have no particulars whatever, so far.

\* The passages within brackets were not read.



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[Continued.]

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*The President.*

It is not a question of particulars.

*The Attorney-General.*

I am reading from an extract from my brief.

*The President.*

Quite so, but it is avowedly a part of a speech.

*The Attorney-General.*

Yes.

*The President.*

I understand what Mr. Davitt asks for is the opportunity of seeing the whole of the context?

*Mr. Michael Davitt.*

Yes.

*The President.*

I want to know in what way you will supply that.

*The Attorney-General.*

As a matter of fact it is a letter I was reading, not a speech. I will give Mr. Davitt a copy of it, and when I put it in the whole of it will be put in. All I was dealing with at the present time was making clear my point by an extract from the letter.

*The President.*

My anxiety at the moment was to satisfy Mr. Davitt.

*Mr. Michael Davitt.*

I hope to get a copy of the speeches.

*The President.*

The Attorney-General has undertaken you shall have a copy of every speech he refers to as implicating you in any way.

*The Attorney-General.*

Yes, and every speech I read will be printed on to-day's note, as your Lordship pointed out.

*Sir C. Russell.*

You are only reading portions of it.

*The Attorney-General.*

My learned friend has again fallen into the same error he made on the first day. I have got extracts from the speeches. All that I use, I shall put in—



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[Continued.]

the whole of it. I believe that in every single instance, my Lord, my learned friend has got copies of all the speeches I have read—already got them from the “Freeman’s Journal.”

Sir C. Russell.

I assure you I have not.

*The Attorney-General.*

They are to be found there.

Sir C. Russell.

What I was pointing out was, that the day’s note will only supply, of course, what my learned friend reads.

*The President.*

Pardon me, I thought it was agreed between you that the whole document of which the Attorney-General read a part should appear in the note, and in that belief I have given directions that there should be a portion enclosed in brackets, to show how much was read by the Attorney-General.

Sir C. Russell.

My Lord, we hear that for the first time. We understood that to refer simply to the police reports which were supposed by us to have been made by the Government, and the marginal note showing by whom they were made. We are glad to hear that. I do not think that has been followed, so far. That undoubtedly will be a great assistance. Then we are to understand, that, in every case in which the Attorney-General has read a passage from what purports to be a letter or a speech of any person incriminated, that the whole of that letter or the whole of that speech is to be set out in the shorthand notes.

*The Attorney-General.*

My learned friend will understand nothing of the kind.

*The President.*

That is what I did mean.

*The Attorney-General.*

I intended to explain what was the real fact.

*The President.*

I had to choose between two courses, whether or not simply to let the shorthand note represent what fell from the Attorney-General’s lips. In the case the remainder of the documents whatever they are would not appear, and in that case they would have to have been put in an appendix. I thought it would be more convenient to all if I had it printed in the text, so to speak, with an indication of how much the Attorney-General had quoted.

Sir C. Russell.

We think it would be a very convenient course, which my learned friend, as I at least understand it, does not assent to. Your Lordship means that whenever my learned friend reads a passage from what purports to be a letter or a speech from any incriminated persons, that the whole of the context is to appear, and the part not read by the Attorney-General is to appear in brackets.



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[Continued.]

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*The President.*

That was my meaning.

*The Attorney-General.*

As I have not had the opportunity of saying a word to your Lordship, at the present moment I may say my learned friend Sir Charles Russell is from beginning to end entirely in error. I produce the whole of the extract I have and the whole report of the speech I have, and I handed to my learned friend the whole of it, and the whole of that appears upon the note and I read the whole of the whole extract I had. There has been no keeping back.

*The President.*

No.

*The Attorney-General.*

Or suppression by me of any part.

*The President.*

Nobody has suggested it.

*The Attorney-General,*

Your Lordship must pardon me.

*The President.*

At any rate I did not notice it.

*The Attorney-General.*

Your Lordship will pardon me, the personal observation was made.

*Sir C. Russell.*

My friend is entirely, my Lord, under a misapprehension. I was [not complaining of this with regard to those speeches which were read and which purported to be taken by the police constables. I am not complaining in the least that my friend did not read the whole of this, because he handed me copies at the time and they appeared. But now your Lordship's observation is of wider range, namely, that wherever he is reading speeches or letters the whole of the text of the speeches and letters appear on the note, the part not read by the Attorney-General appearing in brackets.

*The Attorney-General.*

I have not the materials for doing it.

*The President.*

If you have not the materials you cannot do it; but you are now reading from some document which purports to be what Mr. Davitt has said.

*The Attorney-General.*

A letter; and I have stated I will put the whole of the letter upon the note.

*The President.*

Perhaps you will continue to do that.



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[Continued.]

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*The Attorney-General.*

If I might be allowed to make my statement again, I will undertake to put upon the note the whole of every document I have from which I make an extract.

*The President.*

Yes.

*The Attorney-General.*

And I have never attempted or purported simply to have put on the particular portion I read.

*The President.*

We have all been agreed.

*Sir C. Russell.*

Again, in order to prevent any future misunderstanding, does that or does not that apply to the speeches, portions of which my friend reads—aye or no?

*The Attorney-General.*

I have not got the whole speeches. I have reports. A man may speak for two hours.

*The President.*

I quite see that if you have not got it, of course you will say it is for Sir Charles Russell and those on his side to correct you by referring to such reports as exist; but what you do produce you will hand in the whole of.

*The Attorney-General.*

Your Lordship is stating exactly what I intended to state.

*Sir C. Russell.*

My Lord, I do not want to have any future misunderstanding. Then, so far as my learned friend has the context of any letter or any speech, a portion of which he reads, the whole of the context which he has is to appear on the shorthand notes.

*The Attorney-General.*

My learned friend cannot think I should only put in a portion of a letter. I think he will know if I read the letter I should read the whole of it.

*The President.*

I will look myself at the next day's report, and see whether it fulfils my idea of what ought to be done.

*Sir C. Russell.*

Yes, I am quite content.

*The Attorney-General.*

My Lord, I believe, speaking from memory, without explaining every speech I referred to, I read the whole of the extract that I had, or the whole of the extract that my client had; and, my Lord, I say again, and I make it as an



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[Continued.]

independent observation, that in a very large number of instances I am informed that my learned friends have the reports in the "Freeman's Journal" or can get at the reports in the "Freeman's Journal," and if the report from which I have quoted is not accurate, any inaccuracy can be at once corrected.

Sir C. Russell.

My friend is correct to a large extent. That is true to a large extent. We have not got them; that is all I can say.

The President.

But they are there easily accessible.

Sir C. Russell.

Yes; I think we shall be able to get them from a British Museum file.

The Attorney-General.

A great number are in possession of my learned friend's clients. All I can say is this. I made that statement to your Lordships, but a few moments ago when, at any rate, the application would rather indicate—I will say no more than that—that what I had put in had only been a small portion of what is at my disposal. I put in the whole of what is at my disposal.

With regard to the particular matter which was under discussion when this question arose, I had already stated, as your Lordship will see, that I would put the whole of this letter on the note, but I did not wish to read it, as I should be reading matter which would to a certain extent introduce other topics which were not germane to the one I was considering at the time. My Lord, I now resume the part of the letter which is material to what I was discussing at that particular moment, and to which I ask your Lordship's attention.

"The principle upon which the Land League was founded is, as a matter of course, subject for dispute and difference of opinion, and the programme which was drawn up by the persons named and embodied in resolutions of the Conference on the 21st of October 1879 (inasmuch as it did not comprise any demand for self-government) cannot be credited with containing the whole 'principle' upon which the Land League was founded. The organisers of the Conference had to consider the advisability of framing such a programme as would not scare any timid land reformer away from the projected movement, and it was further considered necessary to render it eminently constitutional for the double purpose of legal protection against the Castle and to enable Members of Parliament to defend it within the House of Commons. What, then, was the principle upon which the Land League was founded? I maintain that it was the *complete destruction of Irish landlordism*,—first, as the system which was responsible for the poverty and periodical famines which have decimated Ireland, and, secondly, because landlordism was a British garrison which barred the way to national independence.

"MICHAEL DAVITT."

At any rate the passage is clear and distinct. That passage at any rate shows that the system of there being any landlords at all was to be removed, the complete destruction of Irish landlordism, because landlordism was the British garrison which barred the way to national independence. Your Lordship will, I think, be able to judge whether I have been entirely misled in the view I presented to your Lordship with reference to the object of the conspiracy, whether the allegation which we have put in our particulars taken



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[Continued.]

from "Parnellism and Crime" does or does not correctly represent the platform, the organisation or the objects of the organisation by which alone these various sections were bound together. But will your Lordship kindly notice here I read a statement of Mr. Davitt's a few moments ago that Mr. Parnell was afraid of going in for it lest he might be taken too far.

Here is a statement that it was something which the people could support in the House of Commons and that no timid land reformer need be frightened away. My Lord, they found out that the timid land reformers could be frightened into it as well as being frightened away from it, because, of course, everybody who desired to get rid of landlords might be said in one sense to be a land reformer. I do not think their organisation would have met with even the support which it did if it had been put in black and white that the firing into the houses, and the firing at the people who paid rent, was the means by which the timid land reformer was to get the object of his ambitions in connection with some supposed reformation of the land system. However, your Lordships will judge.

Now my Lord in the autumn of 1880 Mr. Parnell went to America. Mr. Parnell went to America himself to start the Irish-American Land League. I believe I have made a little mistake in date. It was the autumn of 1879. The conference was begun in 1880. I meant to say the conference took place in 1880; and he went in the autumn of 1879.

Sir C. Russell.

He went on Christmas eve.

*The Attorney-General*

Whether he went on Christmas eve or any other day is not important. My learned friend wishes that statement should be made by him. It is at the end of 1879 he went. On the 11th March, 1880, was held the New York Hotel conference. Now I ask your Lordship to note who were at the New York Hotel Hotel conference. John Breslin, the trustee of the Skirmishing Fund. I will show your Lordship what the Skirmishing Fund was started for later on. Edward Carey, I do not know much about him. Dr. William Carroll, Trustee of the Skirmishing Fund. Captain Omega Condon, the murderer of constable Brett. Your Lordship will afterwards find he was one of the men connected with the Martyrs' Fund. John Devoy, the gentleman whose name has led to a misapprehension. Mr. T. P. O'Connor, of Illinois—not Mr. T. P. O'Connor, of the English House of Commons. I shall have to mention to your Lordship in connection with another conference a curious circumstance from the confusion of name. Mr. T. P. O'Connor, of Illinois; Mr. C. S. Parnell and Mr. James Reynolds, who was also a trustee of the Skirmishing Fund. I have not read the whole of the names. There is Dennis Healy also. I have only read those names which are important for the purpose which I am now arguing before your Lordship. The principal thing which was then done, my Lord, as your Lordship will find, was the starting of the American Land League organisation; and Mr. Parnell asked that there should be formed a National Irish Land League in the United States, which should be auxiliary to the Irish National Land League in Dublin. Your Lordship will observe the Irish National Land League started in October, 1879. Mr. Parnell's request that there should be the American organisation, which was to be auxiliary was in March 1880. Beyond the statement of the starting of these organisations the roll of delegates was called. I am not at present in a position to give your Lordship any information as to what actually passed at that meeting, I do not think any public reports appeared, at any rate, to any great extent, upon any point which is material to our present discussion. I think it is quite possible that in the course of these proceedings some further evidence will be given to your Lordship as to what passed at that New York Conference. However, it is quite sufficient, for my present purpose, to show your Lordship that it was with the object of starting this Land League organisation, and among the people who were



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[Continued.]

appointed as delegates (that I shall be able to show to your Lordship) were these men Breslin, Devoy, Dr. Carroll, Healy, Condon, and O'Connor. Mr. Parnell, while he was there, made a speech. He made a speech of the 23rd of February 1880, at Cincinnati, in which he said this. I allege before your Lordship that it was essential that Mr. Parnell should show the American part that he was working for complete independence, so as to keep them in touch with the platform, one plank of which had been so clearly explained by Mr. Davitt.

I am reading the whole of the extract that I have.

The document was put in and read, and is as follows:—

“ 6th March, 1880.

[“ 1880, 23rd February, Cincinnati, Mr. Parnell said ]:—

“ We are engaged in a great work in Ireland. . . . . With  
 “ your help in keeping our people alive this winter, I feel confident  
 “ we shall kill the Irish landlord system. (Applause.) And when  
 “ we have given Ireland to the people of Ireland, we shall have  
 “ laid the foundation upon which to build our Irish nation. (Loud  
 “ applause.) The feudal tenure, and the rule of the minority,  
 “ have been the corner-stone of English misrule. Pull out that  
 “ corner-stone, break it up, destroy it, and you undermine English  
 “ misgovernment. (Applause.) When we have undermined  
 “ English misgovernment we have paved the way for Ireland to  
 “ take her place among the nations of the earth. (Applause.)  
 “ And let us not forget that that is the ultimate goal at which all  
 “ we Irishmen aim. None of us, whether we are in America or in  
 “ Ireland, or wherever we may be, will be satisfied until we have  
 “ destroyed the last link which keeps Ireland bound to England.  
 “ (Applause.)”—“ Irish World,” 6th March 1880.

Now, my Lord, some years afterwards Mr. Parnell repudiated the last sentence, “ Until we have destroyed the last link which keeps Ireland bound to England.” He was immediately confronted with the reports of his speech, which had never been in any way qualified or repudiated, and, as far as the evidence I shall lay before your Lordship goes, I think it will be found that except on that one solitary occasion he never has denied that that was a correct report, and more than that he never gave any answer to the statement made. But what is more important still, I shall show your Lordship that one little ground of a temporary quarrel between Ford and Parnell was this, that Ford said he was wrong to have disavowed the particular sentence of the speech that was attributed to him in Cincinnati—not of course that telling anything that was untrue was anything, but that it was unwise and unnecessary of him to have disavowed that particular passage of the speech. My Lord, that was a speech published in the “ Irish World ” for the purpose of getting money. That was a speech of Mr. Parnell’s at a time when he was in America, which was printed in the “ Irish World,” and circulated through America in order to induce the “ Irish World ” people to subscribe to this movement. That I will prove to your Lordship, to demonstration. I shall be able to produce the copies of the “ Irish World,” I shall be able to show it was referred to subsequently, and that the Irish World fund was one of the largest from which the supplies of the Land League were drawn. But, my Lord, I am putting my present argument on even a broader ground than that. I say it is clear from what Mr. Davitt had said, I say it is perfectly clear from what had been the known and recognised necessity of drawing together the various strands of this organisation and binding them in one rope, it was clear that Mr. Parnell could not have stirred one single step in America unless he had made that speech, because, my Lord (I do not of course read it again), I do ask your Lordship to remember that in one of those earlier speeches made by Mr. Davitt, he distinctly and specifically stated in so many terms that the sole goal was the complete separation of Ireland from England, and he would



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never allow that to be driven from his mind, he would keep it in view; one of the very first statements I made of Mr. Davitt's speeches was to that effect. My Lord, it would have been utterly useless for Mr. Parnell in America to have repudiated the main plank of the American platform and have sought to get American support. That meeting took place in Boston in the month of March 1880. I have a series of communications—

Sir C. Russell.

What meeting?

*The Attorney-General.*

I have given both date and place. I stated that the meeting took place on the 11th of March 1880, and the Cincinnati speech was made on the 23rd of February 1880. Both those dates I have given you already, and I have stated the report was in the "Irish World" of 6th March 1880. I have now to read to your Lordship a series of letters that have passed between various representatives of the Irish Land League and Mr. Ford. I will just tell your Lordship what the system was. The system was that a letter used to be sent by post, say a letter of the 5th which would arrive in America about the 12th, taking a week as the course of post. Then it would be printed in the following issue of the "Irish World" as a cablegram. In other words, what appear as cablegrams or messages were in most cases not actual cablegrams, but were letters which were written by the person from whom they were sent and were then put in the "Irish World" as a communication. In all probability the only importance of calling them cablegrams was to imply they were such pressing messages as to be sent across by telegraph instead of being sent by post. Now on the 5th of May 1880, Mr. Davitt sent this message (I will call them all messages; it really was a letter) to the editor of the "Irish World":—

"Copies of the 'Irish World' should be sent to all parts  
" of Ireland. Bishop Moran of Ossory (a nephew of Cardinal  
" Cullen) denounced it and the Land League. May Heaven open  
" his eyes to the truth! 'Spread the Light.'"

Your Lordship will find that expression several times over again "Spread the light." I mentioned to your Lordship that "Spread the light" was the expression commonly used by these people for spreading the "Irish World" through Ireland. And as early as 1880 the convenient expression was adopted by Mr. Davitt in writing to Ford. Copies of the "Irish World" should be sent to all parts of Ireland. Then referring to the denunciation of the Land League, and the hope that the Prelate would come to a better knowledge of the truth, by Heaven opening his eyes, he thus concludes, "Spread the light." My Lord, I should like just to repeat to your Lordship the statement as to what the Spread the Light Fund was, which your Lordship will find in the sheet of the "Irish World" signed by Patrick Ford.

*The President.*

Yes, I saw it.

*The Attorney-General.*

My Lord, in the year 1880, there were several speeches made by Mr. Davitt. It appears he went to America again, and certainly some of his speeches are worthy of some slight reference. I will give all that I have. I will give all the extracts I propose to read at the present time. He spoke on the 21st of August 1880. My object in calling attention to this is to show that when in America, these gentlemen were obliged to advocate, and did advocate, extreme separation, as distinguished from the destruction of landlordism, which was the topic in 1880. Mr. Davitt said this on the 21st August 1880, at Seranton.

"The Land League did not mean to precipitate open revolt  
" and thereby play into the hands of the enemy, but they were  
" resolved on organising steadily, effectively, to secure one victory



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[Continued.]

“ for Ireland that had sustained so many honourable defeats.  
 “ . . . . . If Ireland had the men and the arms, he  
 “ would say settle the difficulty as America had done ; but that was  
 “ out of the question at this time, with England as one of the  
 “ greatest and most rapacious Empires on the earth. He was sure  
 “ they all shed tears when they read of her defeat in Afghanistan.  
 “ (Laughter.)”

1880, 21st August.—Speech at the Clan-na-Gael Festival, Beyer's Park, Washington, Captain E'M. Condon introducing him.

1880, 28th August.—Speech at Chicago at the annual picnic of the “United Irish Societies of Chicago” held at Ogden's Grove. Judge Moran presided in the afternoon, when Davitt—

“ Alluded to the seizure of the forty guns by the British constabulary, and declared that the convulsion of horror which grew  
 “ out of it (laughter) was because the English Government knew  
 “ there were men in Ireland to-day absolutely feverish to clutch  
 “ hundreds and thousands of rifles, in order, not only to abolish  
 “ Irish landlordism, but to consummate the hopes of Irishmen of  
 “ abolishing something else. (Great laughter and applause.) The  
 “ penal code, he said, making it a crime to be an Irishman, had  
 “ been established by Irish landlords, and the people of Ireland  
 “ to-day, in the face of the world, were making it a crime to be an  
 “ Irish landlord. (Applause and cheers.)”

In the evening, Davitt received an address from “the Civic and Military Organisations of the Ancient Order of Hibernians,” which, after setting forth the charitable objects of the Order, said :—

“ But the hand that carried the gift of charity was ready when  
 “ the call came to seize the rifle. It was eminently proper, therefore, that the Order should welcome to the United States one who  
 “ had carried charity to many homes, who had nursed the Irish and  
 “ buried the Irish dead, who for the principles of political and  
 “ religious liberty had suffered imprisonment, and would gladly  
 “ have suffered death. If he had no other claim upon the gratitude  
 “ and affection of his countrymen in the United States, what claim  
 “ could be greater in their eyes than that he had enjoyed the  
 “ highest distinction which any Irishman could enjoy—that of  
 “ being persecuted for Ireland's sake by the British Government?  
 (Great applause.)

“ Mr. Davitt responded briefly, but with feeling, referring to  
 “ the noble work of the Order both here and in Ireland, in its  
 “ charitable as well as its political aspects. It had been the first  
 “ organisation, as such, that sympathised with the people of Ireland  
 “ in the warfare against Irish landlordism. If necessary, he was  
 “ sure that the hands which now dispensed charity would dispense  
 “ blows to the enemies of Ireland, and that if the people there were  
 “ ever in a position to strike a blow for independence, the Order  
 “ would nobly respond to their call. (Applause.)”

Then, there having been at the same meeting speeches by a Mr. Alexander Sullivan, Mr. Davitt made a further speech. He said :—

“ The present conflict, if it could be avoided, would not be one  
 “ of physical force. Ireland had not the means for that, and to  
 “ engage in premature insurrection would be a mistake, and would  
 “ be apt to alienate the common-sense people of America. But  
 “ the Land League was not opposed to the cause of Irish  
 “ independence. If Ireland was ever to become independent,  
 “ however, she must socially emancipate her people by striking off  
 “ the social fetters that bound their brains and muscles. When  
 “ that was done, Irish brain and muscle would carve out a pathway  
 “ to Irish freedom.” (Great applause and cheers.)



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[Continued.]

All the speeches were made, my Lord, in the course of a tour to gain support for these organisations. I do not think I shall have to go back to any other speech before that date, but on the 4th September 1880 he said, among other things, this, at St. Louis :—

“ The practical question of the agitation was : How shall we  
 “ abolish the landlords, and what shall we put in their place ?  
 “ (Cries of ‘ Shoot them.’) No that was not the remedy. He did  
 “ not believe in shooting them : he would instead ‘ shoot ’ the  
 “ system. Shooting landlords would not settle the question. If  
 “ it would the question could be easily solved. They had no  
 “ right to resort to such means, and by doing so they would  
 “ alienate the sympathies of the American people and of all other  
 “ peoples . . . . As to compensation to the Irish landlords,  
 “ he was a good deal like Redpath, of the ‘ New York Tribune,’  
 “ who is doing such noble service by the exposition of the condition  
 “ of Ireland in his letters from that country. Redpath declared  
 “ that, if the Irish landlords received the compensation due to them  
 “ they should each be sent to prison for ten years. (Laughter and  
 “ applause). . . . If England desired to keep the peace in  
 “ Ireland and preserve her rule, she will recognise the just demands  
 “ of the Irish people. Otherwise, the world might some day be  
 “ startled by some Act of Secilian (*sic*) vengeance that would cause  
 “ it to stand aghast.”

Then there is another speech of the 11th September in the same year at Kansar. I need not read the whole of it ; I will put the whole of the extract in.

[\* “ In addition to that, we have, as you have already been  
 “ told, declared an unnecessary war against landlordism, not a war  
 “ to call on our people to shoulder the rifle and go out in the  
 “ open field and settle the question that is now agitating Ireland.  
 “ Although I am not opposed to a settlement of that nature  
 “ (laughter and applause), providing I could see a chance of  
 “ success ; but for the fourth time during the present century we  
 “ have tried a physical struggle with England, and instead of hurt-  
 “ ing England we have generally hurt ourselves.] Now, I believe  
 “ it is far better to meet on different ground, and to do battle in a  
 “ different mode. And in declaring this war against Irish land-  
 “ lords, in not paying rent in order to bring down their garrison  
 “ in England (*sic*), we know we are doing a proper work. We are  
 “ preparing the way for that independence which you enjoy in this  
 “ great American Republic. (Cheers.) [\* At present, however,  
 “ we are engaged in a peaceful revolution. . . . James  
 “ Redpath, an American, who went over to Ireland, and travelled  
 “ considerably in that country, and saw a great number of the  
 “ impoverished and hardworking class of our people, declared in  
 “ Dublin that the only compensation he would give the Irish land-  
 “ lords would be about three yards of rope (laughter and cheers),  
 “ and in an emphatic manner, so peculiar to Americans, he declared  
 “ he would make every one of them work three months to earn the  
 “ rope before he would hang them (laughter). Now, I am not in  
 “ favour of such severe measures as that, although I think a little  
 “ imprisonment visited upon them would improve their morals,  
 “ (Laughter.)”]

After those speeches, assuming them to be substantially accurate reports of Mr. Davitt’s speeches (I again say in every instance, so far as I know, they were publicly reported in the Press, and in no way repudiated or disclaimed at any time by him) I do not think after those utterances it can be suggested that the way in which they were endeavouring to organise this matter, so far

\* The portions of the speech enclosed within brackets were not read.



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[Continued.]

as the American section was concerned, was not pointing out that their ultimate goal was independence—complete separation, the breaking of the last link, the view put forward by Mr. Parnell which he so conveniently at one time thought it was desirable to disclaim.

My Lord, I do not propose at the present time to trouble your Lordship with detailed extracts from what the "Irish World" was saying during this year, because, unfortunately, I have a good many more particular extracts which I have to refer to in connexion with certain later incidents, but I may mention that I shall show your Lordship that in the year 1880 they were speaking of dynamite as the new political agent; they were describing the execution of Irish landlords as the execution of land thieves, and, important, my Lord, with reference to subsequent conduct, they were recommending Irish women to throw out vitriol upon the persons who came to execute process of the law. I have not, my Lord, any instructions at the present moment as to whether or not that particular method of carrying on the warfare was known in Ireland before the year 1880, but, be it as it may, upon the instructions that I have, such kind of resistance had scarcely ever been heard of before. It is significant with reference to spreading the light, with reference to the "Irish World" being sent into all parts of Ireland. It is important to notice that among the recommendations was that to Irish women to throw out vitriol upon the bailiffs. From my recollection, my Lord, I have no particular incident in the year 1880 with reference to the American connexion to call to your Lordship's attention; but during the year 1880 it will be proved before your Lordship that the "Irish World" was being sent and circulated in large numbers through Ireland; and I am instructed it will be proved before your Lordship that to a great extent it was circulated by the Irish Land League; that is to say, copies sent down to the Land League branches were to be found in the Irish local branches, and, at any rate, it was one method whereby these papers were distributed. I think further I shall be able to satisfy your Lordship that if they were sent direct they were not sent by any other organisation that was not connected in one shape or form with either the Irish Land League or the American affiliated societies.

Now, I should like to refer at once to two or three letters and communications which seem to me to put that almost beyond all doubt. I will try and read them in order of date. If I make a mistake in putting one actually out of date your Lordship will pardon me. Thomas Brennan, my Lord, was the secretary of the Irish National Land League. On the 2nd February 1881 he wrote to Patrick Ford:—

"The thousand pounds (1,000*l.*) cabled this week by the 'Irish World' is received. Its announcement was received with applause. The substantial aid and continued encouragement which we are receiving from our kindred and the friends of humanity in America are inspiring our people very much; and in the name of the Land League I beg to tender to the readers of the 'Irish World' and to all co-operators its sincere and most grateful acknowledgment."

I do not suppose if that communication passed, it will be suggested they did not know subscriptions were being obtained by means of the "Irish World," or were not grateful to those who, influenced by what the "Irish World" contained, were giving the subscriptions they were then acknowledging. That was Brennan, as your Lordship will remember. On the 5th of February in the same year Mr. Parnell telegraphed—

"The Land League has scored a victory."

I should think that was with reference to the State trial.

"The ten-to-two disagreement of the jury, in face of the tremendous pressure of the Court, is everywhere accepted as having the force of an acquittal. . . . Thanks to the 'Irish World' and its readers for their constant co-operation and substantial support in our great cause."

"CHARLES STEWART PARNELL."



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[Continued.]

*The President.*

You said telegraph—to whom ?

*The Attorney-General.*

To Patrick Ford of the "Irish World." When I said telegraphed, I hope your Lordship will understand I meant it in the same sense as before ; that is to say, sent by post, but published as being a cablegram or message. As a matter of fact it was dated—that is an instance—the 26th January 1881 from London. It was published in the "Irish World" of the 5th February 1881, that is to say, just nine or ten days afterwards. I do not know whether your Lordships will be of opinion that Mr. Parnell never reads the "Irish World," but if he never reads it it cannot be suggested that he was indifferent to what the association was receiving from the "Irish World," and he either received the money being careless of what were the kind of principles advocated by these persons who were soliciting subscriptions or else he knew perfectly well what was in the "Irish World" and was only anxious that such a mode of advocacy should be continued. On the 9th March 1881 at Paris where Mr. Egan was—Mr. Egan had gone there because of Mr. Sheridan's arrest or Mr. Davitt's arrest—I do not know which.

On the 25th of February 1881 Egan to the "Irish World,"

" Let the readers of the 'Irish World' and all the friends of  
" the Land League accept our warmest thanks for the noble work  
" they are so bravely doing."

I am not sure at the present moment that I have any more telegrams or messages of that date. There are several which occurred very shortly after that. About the same time my Lord the executive of the Irish Land League issued a declaration of its principles, and undoubtedly this was for production in America.

*Sir C. Russell.*

What date ?

*The Attorney-General.*

I think it is some day in April 1881. I think it was in March 1881, but published in America in April 1881. That is as nearly as I can state it. They are very long articles indeed. Of course the whole of them shall be put in. I am afraid I cannot hand in the whole of the articles, because naturally enough in that particular instance the whole of the articles have not been given me.

*The President.*

No, I did not understand you to pledge yourself to do more than to hand in the whole of the document from which you read something in Court.

*The Attorney-General.*

In that case I have only the extracts. In many cases I have read the complete telegram or document. It is impossible to specify in each particular instance whether it is the whole of the document or not.

[\* " Declaration of Principles.

" We hold these propositions to be self-evident proofs:  
" That God made the world for man's use and benefit ; that,  
" creating all mankind with equal necessities, He likewise created  
" them with equal rights to His free gifts ; that the Land, the Air,

\* The passages in brackets were not read.



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“ the Light, and the Water are equally essential to man’s life and  
 “ proper action; that they were made for no *special* class, but are  
 “ the natural inheritance of *all*, and can be alienated from *none*  
 “ without contravening the Law of God; that any monopoly of  
 “ these gifts is a crime and a blasphemy against the Creator  
 “ deserving the univeral condemnation of humanity; that Labour  
 “ is the law of life, and the full fruits whereof belong in justice  
 “ and reward to the Labourer, and

“ Whereas,—

“ Ireland, suffering for ages from a wicked and unnatural Land  
 “ System—a system that has exiled, impoverished and wasted its  
 “ people, fostered iniquity and idleness at the expense of virtue and  
 “ industry, degraded and disinherited the many to subserve the  
 “ selfishness and profligacy of the few, enthroned vice and injustice,  
 “ filled a land capable of supporting many times its present popula-  
 “ tion with the wailings of famine and desolation, and in every  
 “ shape and form violated eternal justice—has at last risen in  
 “ its manhood, and, under the banner of Natural Rights, seeks  
 “ to demolish for ever the curse that has borne down its people;  
 “ and

“ Whereas,—

“ Viewing the struggle now being made against landlord  
 “ iniquity by the Irish people as the dawn of humanity’s eman-  
 “ cipation the world over, and holding it to be the duty of every  
 “ one—without distinction of nationality or creed—to send sub-  
 “ stantial aid and cheer to them in this hour of their trial; and  
 “ believing that this may be best effected by co-operation and  
 “ organisation, we therefore band ourselves together until land-  
 “ lordism, *root and branch*, shall have been abolished, and the equal  
 “ right of *every* man to share in the bounties of God, free of Rent  
 “ or other immoral exaction, shall have been acknowledged and  
 “ established, never more to be denied or abridged.

[“ \* Wherefore be it—

“ *Resolved*, that we do, herein and now, form ourselves into  
 “ an auxiliary branch of the Irish National Land League, with  
 “ ‘The Land for the People and no Compromise’ for our motto.”]

That my Lord was sent over to America, published in the “Irish World,” and with the names of the executive of the Irish Land League—Mr. Parnell, Mr. Davitt, Mr. Brennan, Mr. Egan, Mr. Biggar, and M. O. Sullivan. I think I shall succeed in showing to your Lordship that Mr. Davitt himself edited this document before it was sent over.

*Mr. Michael Davitt.*

My Lord, inasmuch as I was in Portland Prison on the 9th March in 1881 I could not very well be in Paris.

*The Attorney-General.*

I did not say Mr. Davitt was in Paris. I think it will appear Mr. Davitt edited this document, whether he was in Portland Prison or not. It makes no difference for the purpose of what I am dealing with. I am dealing with what can be done with the pen, and I do not think for a moment the interruption of the gentleman in court at present affects the argument I am addressing to your Lordships. I believe it will turn out that document went to America after having been edited by Mr. Davitt. But it makes no particle of difference. It was a somewhat adroit but an unnecessary interruption,

\* The passages in brackets were not read.



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[Continued.]

because the names of Parnell, Davitt, Kettle, Brennan, Egan, Biggar, and O'Sullivan are affixed to it. If Mr. Davitt does not accept the principles that are there enunciated, of course he will say so at some time when he comes to give evidence before your Lordship, but Mr. Parnell put his name to it or somebody belonging to the Land League put his name to it. If Mr. Davitt was not responsible for it,—I do not think in the end it will depend upon whether Mr. Davitt did draw that particular document, I merely stated it to your Lordship on my instructions. But, I believe, it will turn out Mr. Davitt has stated that was a document he himself had drawn up, or to the drawing up of which he was a party. Now, in the month of May in the same year, Mr. Egan made this communication to Mr. Patrick Ford of the "Irish World"—written my Lord on the 25th May, published in the "Irish World" on the 4th of June:—

"Gladstone is going to hell by rapid transit."—I see nothing to laugh at in such an observation.—"The stupidity of his administration is paralleled only by its malevolence. It is amazing how any sensible man dares to pursue so hazardous a course. Such actions only serve to intensify the movement, and to hasten the doom of the system which he is trying so desperately to uphold.

"Friends in America! towards you we turn our eyes. England too is watching you. You are the Land League's base of operations. Realize the glorious possibilities of which you are capable, be faithful to the banner of the 'Land for the People,' which is the initial principle in popular right; and with your brothers on this side of the Atlantic now gallantly struggling with Landlordism, *in the first stages of the Revolution*, show a bold and determined front to the foe, give the enemy distinctly to understand that you have enlisted for the war, and the success of the cause of Ireland is beyond doubt assured."

Now my Lord, what was the struggle in which they were determined to engage in that time? What were the operations of which the American party were to be the base? At this time (it is in the year 1881) for a period of now 18 months the Land League operations had consisted in boycotting, intimidating, and, if necessary, shooting people, simply because they paid their rent, and I ask your Lordship whether it is anything more than the plain and pitiable truth, that it was a conspiracy organised in connection with those in America, supported by those in America, and the Treasurer, a man who was dealing out the money, is telling the people who are to send further subscriptions over "England too is watching you, you are the Land League's base of operations." My Lord, I think your Lordship will be of opinion that this history of the connection between the American section and the Irish Land League, which, so far as I know, has never been put together before, certainly has never been put before any judicial tribunal before, is worthy of the gravest consideration at your Lordship's hands, and I think your Lordships will be of opinion that there did exist these two organisations so linked together that the allegations to which I have referred in the early part of my observations this morning, and to which I shall refer again at the close, are not only proved, but might have been stated in language infinitely more strong, and objects might have been pointed at even worse than those which have been actually taken from the language which was cited from the passage in "Parnellism and Crime."

Now, my Lord, in June of the same year J. P. Quinn, who was secretary to the Land League or an official of the Land League, I believe secretary then, wrote to the "Irish World" too. He wrote on the 22nd June, published on the 2nd July:—

"We again appeal to the lovers of liberty and sympathisers with suffering humanity to send the 'Irish World' to Ireland. The success of the cause is to be measured by the extent of the acceptance of its principles."



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[Continued.]

I claim your Lordship's attention to this—

“When the ‘Irish World’ is read in every hamlet in every county, it will be beyond the power of earth and hell to perpetuate Landlordism in Ireland.  
“ ‘More light!’ ”

That is the light the Irish National Land League and Labour Organisation desired to be spread in Ireland. That is the policy which the constitutional organisation under Parliamentary leadership desired should be extended, published, and supported by the Irish people. My Lord, the suggestion may be made on behalf of these gentlemen, that they had nothing to do with the “Irish World.” But “You were content to receive the money which was collected by the subscribers of the ‘Irish World’; you were content to teach the poor and miserable and half-educated people of Ireland the doctrines that were inculcated in the columns of the ‘Irish World.’ One of the overt acts by which you promoted your conspiracy and carried it out, was the dissemination of seditious and monstrous literature through the length and breadth of Ireland,” and, my Lord, is it to be wondered that when you find such invitations as the throwing out of vitriol, such invitations as will be found in other passages of the “Irish World,” some of which I shall read to your Lordship, that outrages did follow the dissemination of such literature as well as the speeches to which I was referring on the first day I addressed your Lordship.

On the 30th June, my Lord, the same year, J. P. Quinn wrote again. It was published on the 9th July.

“THOMAS BRENNAN—bold and brave BRENNAN—has been removed from Naas prison to Kilmainham under a strong escort. I visited him, DILLON, and KETTLE yesterday. All three well. BRENNAN reiterated his belief that a strike against rent altogether, cutting of the landlords' supplies completely (*sic*), as Ireland's only hope for success, and I, his successor, and your correspondent, heartily endorse BRENNAN, who speaks for the true apostles of the cause, every one of whom wants to see that movement go forward.”

I was not wrong, your Lordship will observe; Quinn succeeded Brennan, as he says himself, as Secretary of the Land League.

“The sole reliance of the cause now is the ‘Irish World.’ Another 20,000 francs received Monday. . . . Men of America, we depend more and more upon the ‘Irish World's’ light. Spread the light and all else will follow, and you may be sure there will be ‘No Surrender!’ ”

Yes, my Lords, it is quite true that they did depend more upon the “Irish World's” light. The “Irish World's” light had two results. The “Irish World's” light obtained the money which they were anxious to receive from America for the purposes of their organisation, and the “Irish World's” light also encouraged those outrages which were literally the life-blood of their organisation, without which the organisation would have dwindled into nothingness, and would have had the same fate that very violent agitations had previously had. They would have interested a few scoundrels, but would not have interested the honest and hard-working tenantry of Ireland. On the 3rd of August, published on the 13th, Quinn writes again:—

“I had a lengthened interview with Brennan, Kettle, Sheridan, and Boyton on Saturday . . . All send their grateful thanks to the reformers of America, and appeal from their prison cells to send the ‘Irish World’ into Ireland as the only preventative (*sic*) at the present moment of keeping the movement out of the hands of time-servers.”



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ATTORNEY-GENERAL.

[Continued.]

Now, my Lords, during that year 1881 what were the kind of things which the "Irish World" was publishing? I mentioned to your Lordships some of the things they published in 1880 about dynamite, political agents, about land thieves, and about throwing vitriol. At or about this time there was a writer in the "Irish World" who signed himself "Transatlantic." I believe his name was Thomas Mooney, who had been stated by many political speakers before to have been certainly, so far as his utterances were concerned, one of the worst scoundrels that ever lived. My instructions are that Thomas Mooney is dead, and I am afraid it will be impossible to describe his career other than of an infamous scoundrel, who could advocate the worst of outrages. On the 12th March 1881 he wrote in the "Irish World":—

"London, consisting of four millions of the wealthiest people  
 "in the world, is at the mercy of its criminal classes, who number  
 "a quarter of a million. . . . Make a note. Spread the light!  
 "O spread the light!"

I believe, my Lords, as a matter of fact, when a copy of the "Irish World" is produced, there is other matter in the same strain in the same article. But that paragraph, I shall be able to show you, undoubtedly was in that issue of the "Irish World" of the 12th March. On the 24th September 1881 there was another paragraph from "Transatlantic." The heading was "Plenty of kindling wood in England." Then he said:—

"The 'kindling wood' which is ready 'to set the whole working  
 "population in a blaze,' consists of 'the farm labourers, the  
 "'miners, the factory hands, the million of paupers, 186,000 im-  
 "prisoned English criminals, the half million of uncaught criminals  
 "in England,' and so on."

I believe your Lordships will find that article also contains other references of a most violent kind when the paper comes to be produced before you.

In that year it was necessary to send over another delegate to America from the Irish Land League, and it was necessary to send over a very distinguished person, and accordingly they chose Mr. T. P. O'Connor—not Mr. T. P. O'Connor of Illinois.

*The President.*

Will you be kind enough to give us the names that those initials represent? You told us there were two O'Connors, and I wish to distinguish them.

*The Attorney-General.*

Thomas Powell O'Connor. I do not think it is necessary to give your Lordships that. T. P. O'Connor is the name by which we shall call him. The other is T. P. O'Connor, of Illinois. He only appeared once. The "Times" fell into a mistake in consequence of the initials being the same, which I shall have to refer to presently. Mr. T. P. O'Connor, the name in these proceedings, is the delegate who was sent; and to whom was Mr. O'Connor sent—to what person as the representative in America, and by whom, was he sent? He was sent by Mr. Charles Stewart Parnell, and his introduction was to Mr. Patrick Ford. There is a particular statement which was made in the communication to Mr. Ford, which was "that Mr. T. P. O'Connor will start for America early in September, to represent my views and the views of the Irish organisation." That was addressed to Patrick Ford, the editor of the "Irish World." I mention that for the purpose of making it perfectly clear that the case of Mr. Parnell that he had no relations with Mr. Patrick Ford is absolutely untrue. The letter signed by Mr. Charles Stewart Parnell appears in the issue of the "Irish World" of the 1st October. It is dated Dublin, September 1881, and purports to be signed by Charles Stewart Parnell:—



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“ I heartily thank the Land Leaguers throughout the United States for their glorious work. I thank you for the invitation to visit America, but the movement will probably claim my constant attention and presence in Ireland this winter, rendering a visit to the States improbable.

“ Mr. T. P. O'Connor will start for America early in October, and will represent my views and those of the Irish organisation.”

Now, my Lords, on the 5th October, that is to say, just, before Mr. T. P. O'Connor's departure, Quinn, the Secretary, sends this letter to Mr. Patrick Ford.

“ Numerous applications are daily received at the Land League executive office for copies of the ‘Irish World.’ I appeal to our friends in America to furnish us with as many copies as they can, so that we may be able to meet the constant demand for it. Its circulation just now can be of immense service to the cause.”

I do not know whether I have gone too far in stating to your Lordships that you will have no doubt that the office at which the copies of the “Irish World” were obtained was from the Land League office in Ireland, and your Lordships will then be able to judge how far they are to be allowed to disclaim any connexion with the seditious and grossly improper literature which was being disseminated through the columns of the “Irish World.” Your Lordships will not have forgotten that Mr. Parnell was arrested on the 13th October 1881. Egan telegraphed to Ford the news, and then came back the piece of advice which I read yesterday. I will just read them now as they fit in with the story I am telling to your Lordships. On the 14th October Ford telegraphed to Egan that it would be better for him to keep out of Ireland, Egan being then in Paris; on the 17th October, came a telegram about communicating with Parnell. “And, if necessary, consult with your colleagues, and then issue a No-rent Manifesto,” and the reply of Egan to Ford was “Your suggestion is approved. Prompt measures are now in progress to obtain a general strike against rents.”

Now, my Lords, Mr. T. P. O'Connor went over to America, and he attended at the Chicago Convention and there was also there the other gentleman of the same name of Illinois. I may be perhaps allowed to mention to your Lordships that Mr. T. P. O'Connor considers he has been libelled because it was mentioned that he was at that Convention of 1886; a mistake was made in the name, he was at the Convention of 1881, and he does not consider it libellous I believe at the present moment to state that he was there. I will tell you who was there, I do not read all the names, Breslin, the trustee of the Skirmishing Fund; the Rev. Thomas Conaty, the President of the Parnell testimonial; John Devoy, the Fenian, a Miss Allen Ford; John Finerty, the dynamitard; Mr. T. M. Healy, Mr. T. P. O'Connor, Mr. Alexander Sullivan, the Rev. Eugene Sheehy, and also a Dr. Wallace. There was also there a man named Mackay who took the name of Somasney who had been tried for murder, that was the man who disappeared at the time of the London Bridge dynamite explosion, and so far as it is possible to trace anything of him he is supposed to have perished in that explosion. Among those who received Mr. T. P. O'Connor was Mr. Wallace—Mr. Wallace welcomed him, and I shall at some time or other show a public speech of Mr. Wallace published in the “Irish World” in which he complained of any persons who had apologised for the Phoenix Park murders. I will call attention to that, but at present. I wish in the first instance to point out, if I can, what passed at the time of the reception of Mr. T. P. O'Connor. Mr. W. B. Wallace receiving him. Mr. T. P. O'Connor replied, as reported in the “Irish World.”

“What is the English Government based upon; it is based upon murder, rapine, violence, confiscation, sacrilege, buckshot, bayonets, and flying columns. Oh, that these latter were to meet the Irish people in America then indeed there would be flying columns.”



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[Continued.]

That is the report; it may be incorrect, but I am instructed it is a correct report of Mr. T. P. O'Connor's speech on being welcomed by Mr. Wallace, and I think I shall be able to show your Lordships what were the characters of the utterances of Mr. Wallace, as a gentleman who had to deal with the question. On this occasion of the Chicago Convention in November 1881 there were meetings. Mr. T. P. O'Connor went to America in November or the end of October, and there were meetings in December. The report of such meetings, and what took place at them, being reported in the "Irish World." On the 30th November 1881 was the first meeting at the "Irish World" offices, at which were Father Sheehy, Mr. T. P. O'Connor, Mr. Healy, and Mr. Finerty. Then at the opening of the Convention, at which Mr. T. P. O'Connor and Mr. Healy were present, the following speeches were delivered. Mr. Finerty said—

"Ireland is nothing less than England's bitterest foe and we are  
" nothing less than Ireland's unpurchaseable and uncompromising  
" allies."

Mr. T. P. O'Connor said this:—

"The landlord has not got any rent from the 10,000 who  
" are ejected from the farms and he is not going to get any rent.  
" What becomes of the 10,000 farmers meantime? We will put  
" the tenants near (sic) these farmers as we possibly can. They  
" like to have a glimpse of their old home, and if I was an agent of  
" an insurance society I would not like to have my whole organisa-  
" tion and corporation dependent on the 10,000 farmers who will  
" go into the farms that the other 10,000 have been evicted from."

My Lords, it is perfectly clear, putting the very mildest construction upon that, that what was meant was that no evicted land should be taken possession of, and I need not remind your Lordships at the present moment that that had been the policy which had been enunciated by the Land League. It means this for certain that a land-grabber is not a person whose life would be a very desirable life for an insurance company, but whatever it means it was the clearest enunciation of the policy which up to this time had been pursued, and was being pursued to make the occupation of the land under a landlord practically an impossibility, because no rent was to be obtained from the 10,000 farms from which the 10,000 tenants had gone.

At the same meeting Father Sheehy spoke:—

"I want to tell you here to-night assembled delegates of the  
" Irish American race in America that we face landlordism and aim  
" at its utter destruction, but only as a stepping stone and as a  
" means to a greater and a higher end. Will you be content to go  
" on paying what is called a fair rent, an abomination, a crime not  
" alone against modern civilisation in Ireland, but against common  
" sense and a blasphemy against God? I stand here to-night a  
" teacher of morals. I weigh the words I utter. I face the  
" responsibility of every word. In France landlordism was swept  
" down and crushed utterly into powder by the armed hand of  
" Revolution. If any gentleman will undertake the commission he  
" will have my benediction. I look also into their hearts and I see  
" a burning love of Ireland and a burning hatred of England. I do  
" not measure my words where there is a question of England. I  
" say that there is only one enemy on this earth of Ireland, and  
" that enemy is England. I have asked Americans why you who  
" are not born in Ireland, who do not hope to see Ireland, why is it  
" you are into this? It is not so much love for the old country,  
" as hatred of that country's enemy. It is the two feelings com-  
" bined that nurse the hopes, nerve the resolves, and fire the souls  
" of men, and nerve the arms of men to have a blow at England."

I suppose it will be suggested that is all politics, but the whole point of the libel—the whole point of the charges—which I am to-day discussing is, that



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this Land League organisation, was in association with an organisation that was established in America for the purpose of objects to be obtained by practices which were absolutely wicked objects, and which were hostile entirely to the English people. It will not in any way remove the charges and sting of the allegations that are made, to suggest that such views may be advocated by what I may call *bonâ fide* political methods. We are dealing with what was being done. We are dealing with the way the funds were obtained. We are dealing with the system the Land League was proposing and carrying on, without the slightest hesitation, or without for one moment stopping to consider whether there were other means by which they could attain the same object without so grossly transgressing the law.

There is a short quotation, I think, from a speech of Mr. Healy's:—

“For what is the business for which this Convention has assembled? It is the purpose of revenge, as I take it; revenge upon the enemy which drove you and your fathers forth from your own land. I am in favour of no rent, not merely as a temporary policy, but for all time.”

Then a resolution was proposed and passed that the Convention declared English rule in Ireland to be without either legal or moral sanction. Egan telegraphed to the Convention on that same day in the name of the Irish National Land League and Labouring Industrial Union, which was the Irish National Land League,—“I greet the Great Irish National Convention of Chicago.”

The “Times” has said, and the “Times” repeats, that this so-called Parliamentary organisation does take spring and its being and receives its main impulse from the American organisation from Chicago, and not from Dublin. I venture to think that if I establish before your Lordships that these speeches were made, and that they were so treated by Mr. T. P. O'Connor and Mr. Healy, that your Lordships will come to exactly the same conclusion.

I now pass to the year 1882, and I desire to show your Lordships what was the position of the “Irish World” during that year. I beg your pardon for one moment. There was one other speech, or message rather, at that Convention which is of very considerable importance, and bears out exactly the view I have presented to your Lordships on the relation of Mr. Davitt and the statement of Mr. Parnell himself, as to its not being desirable for the Land League section to be too much publicly mixed up with this extreme section in America. The President of the Convention, Dr. Bell, in the presence of Mr. O'Connor and Mr. Healy said this. It was in reference to Mr. O'Connor's and Mr. Healy's speaking. “There are certain grave reasons that are quite satisfactory to us, and would be if they were known to you, which prevent Mr. O'Connor and Mr. Healy from responding to our loving invitation now.” That was an invitation to address them:—

“I trust that every Irishman here will understand that when gentlemen such as Mr. O'Connor and Mr. Healy say that there are reasons why it is better that they should not address an Irish National Convention assembled in Chicago it ought to be satisfactory, and it is satisfactory to every man.”

It seems, therefore, that at the actual meeting of the Convention neither Mr. O'Connor nor Mr. Healy spoke. They sat on the platform and heard the speeches of Father Sheehy and of Dr. Betts, and the passage, I had not found it before, but it is from the “Irish World,” about the 10,000 farmers came in at Mr. O'Connor's reception when he was received by Dr. Wallis. With reference to the year 1882, your Lordship will find that the request for sending the “Irish World” to Ireland was repeated. On the 11th of March 1882, Brennan, the secretary, sent a message, which was published in the columns of the “Irish World”: “By all means send the ‘Irish World’ into Ireland. Its power for good is wonderful.” I am not sure whether that is a quotation from the “Irish World” from Mr. Brennan himself, or a



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quotation of what Mr. Brennan had said of the "Irish World." The extract of the "Irish World" itself, which I have, makes it doubtful whether it is a quotation by Mr. Brennan or a quotation from Mr. Brennan.

Sir C. Russell.

He was in Kilmainham at the time.

*The Attorney-General.*

That may be the fact. The fact of his being in Kilmainham would make no particle of difference in reference to his sending out a message to America. It makes it the more probable that he should have sent it, because as he could not influence the people in Ireland it is exceedingly likely that he should write to America, and ask that the "Irish World" might be sent. With regard to his being in Kilmainham, there was no doubt whatever that the warders were in such relations with the suspects that they succeeded in sending many documents. In fact, as I stated yesterday, Mr. O'Brien edited the paper as well when he was in Kilmainham as when he was free. I have said myself that it is not clear that the quotation came from Mr. Brennan. It may be it is only a quotation of what Mr. Brennan has said.

Your Lordships will remember in the month of May 1882 occurred the terrible Phoenix Park murder, and your Lordships will not have forgotten that there had been published by Mr. Davitt, or published under the signature of Mr. Davitt, Mr. Parnell, and Mr. Dillon, the manifesto expressing regret.

You will at the same time not forget that I stated that I should be able to show that Egan telegraphed that he would resign if any part of the funds were offered for a reward. The view that the murder was to be condemned was by no means shared by all the gentlemen who had represented the American section, and who received Mr. T. P. O'Connor and Mr. Healy. There was a speech made on the 27th May 1882 at New York, which is reported in the "Irish World," at which, if I remember aright, the very man Dr. Wallis was present, and he received Mr. T. P. O'Connor and Mr. Healy on the occasion of Mr. T. P. O'Connor and Mr. Healy going to America, and a certain Major Horgan at this meeting having proposed an amendment, there was a speech made by Mrs. Parnell, the mother of Mr. C. S. Parnell, at which she stated, as represented in the "Irish World":—

"I think I agree with others that we have been a little too much in a hurry to deprecate the odium of the assassination which has been fixed on us. But times have been so critical that we cannot blame anybody for this. We certainly cannot blame the leaders on the other side of the water when we see the monstrous Coercion Bill born out of the head of Mr. Gladstone."

Major Horgan proposed an amendment to the resolution that, "While it may be deemed a matter of expediency," the resolution was "about the employment of brute forces, whether by the dagger of the assassin, or by organised military power, and by whomsoever used against the unarmed and defenceless as instanced respectively the murders of the secretaries, and the slaughter of innocent women and children at Ballina and elsewhere is a crime against humanity." Upon that resolution having been moved, Mrs. Parnell made the speech to which I have referred, and then after other speeches, Major Horgan moved an amendment—

"That while it may be deemed a matter of expediency to express regret for the slaying of Cavendish and Burke, we, the Irish exiles of New York, in mass meeting assembled, express our greater regret that England should still continue her old practice of murdering our people in Ireland by buckshot, by bayonet, and starvation, and it is deemed more becoming that we, the representatives of the Irish race in this great metropolis of America, should express our sympathy with Gladstone's murdered



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“ victims of eviction, than by pandering to the wishes of the Lord  
 “ Norths of to-day, who are the worthy descendants of the Wyoming  
 “ and Cherry Valley massacres in our own fair land and of  
 “ Drogheda and Wexford in the land of our birth.”

And Dr. Wallace said in the course of his speech supporting Major Horgan's sentiments, that he agreed with Major Horgan's sentiments, but he repudiated the suggestions that the resolutions condoned with the British Government.

As far as I can remember, the resolution was not adopted. I think it appears from the report that the amendment was adopted by vote. By vote, Major Horgan's resolutions were added to those previously read, and all were adopted. The result was that the resolution was adopted that it was expedient to express regret for the slaying of Cavendish and Burke.

I now wish to bring to your Lordship's notice some of the things which the “Irish World” was publishing in the year 1882. On the 28th October 1882 appeared an interview with Mr. E. J. Rowe, whom your Lordships remember I mentioned to you as being one of the persons whose name ought to have been in the particulars, but which was not, but who as a matter of fact was one of the executive council of the American Land League, and Mr. E. J. Rowe said as reported in the “Irish World” :—

“ The present Coercion Act (Mr. Gladstone's last), is one of the  
 “ most brutal and bloody measures ever passed to crush a people,  
 “ and I say that for every murder perpetrated by British officials in  
 “ Ireland, such as that of Patrick Walsh at Galway, a member of  
 “ the Royal Family (so-called) or a British Minister should bite the  
 “ dust. The echoes of dynamite explosions in England's manu-  
 “ facturing and commercial centres will be the signal for Ireland's  
 “ freedom. Devastation could be spread throughout the length and  
 “ breadth of England in a night, and it should be done. Oh, that  
 “ the ‘Irish World’ would again start a skirmishing fund ! ”

Now, my Lords, is it possible to imagine a more iniquitous publication or suggestion than is contained there, and I ask your Lordships what would be your opinion of an organisation which considers it legitimate to spread and send, and ask that there should be sent and spread, by the thousand papers advocating these views in Ireland, and yet I shall show your Lordships that at meeting after meeting after this, and at meeting after meeting at which things had occurred almost, [I will not say quite, but of almost as wicked description, you will find the representatives of the Irish National League, of these gentlemen who are charged here associating with the men who were openly advocating such principles as these. Nay, more than that, expressing publicly the policy or the means whereby their policy should be carried out. My Lords, it is scarcely necessary to point out that that is a distinct invitation to the use of dynamite for the purpose of destroying the towns of England, and that it should be done by means of a skirmishing fund, and that the “Irish World” should start it, such a fund having previously in the “Irish World” been started for exactly the same purpose.

I have the evidence in my mind, at least I remember the date, of June 1882, to which I ought to call your Lordships' attention. Perhaps you will allow me to supply it. I cannot remember exactly at present the page of the extract to which my memory ought to take me back.

On the same day, 28th October, appeared an effusion from “Transatlantic” in the “Irish World” :—

“ Already the cry of vengeance against Landlordism has laid low  
 “ many of the land robbers. Within three or four years there fell  
 “ in the ‘land war’ on the landlord's side :—

“ Lord Leitrim,

“ Lord Mount morris (*sic*).



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- " Lord Cavendish,
- " Secretary Burke,
- " Mr. Herbert of Kilkenny (*sic.*)  
[Killarney]
- " Mr. Bourke, Loughrea,
- " His military protector."

That was the case I told your Lordships of where Bourke, of Loughrea, and the soldier who guarded him, were shot. Blake, of Loughrea, was the man who was shot while driving with his wife and left in the road, and his bailiff who was with him.

- " Boyde of Kilkenny (*sic.*) (Boyd of New Ross?) Wheeler of
- " County Limerick, together with some Forty to Fifty Bailiffs and
- " Informers. On the people's side only two have yet been hanged,
- " and not over 10 are in penal servitude for terms of five, seven,
- " and 14 years. These may be amnestied sooner than the land-
- " robbers imagine."

Now, my Lords, I humbly appeal to your Lordships' judgment on such an utterance as that. Can you wonder that when "Trans-Atlantic" was referred to as being one of the men who had advocated the spread of the light that he was denounced in the presence of Mr. Parnell as being one of the veriest ruffians and scoundrels that ever attempted to instruct the public mind. Can anything be more horrible than this kind of preaching to the unfortunate tenants that the landlords who are shot, the bailiffs, and the informers falling in the war, that there had been far more of those killed, only two on the people's side have been hanged, and not more than 10 penal servitude, and they may be amnestied. This kind of self-idea that people will be heroes, this constant preaching to do the work of Allen and Larkin and O'Brien, and that reference to men who were serving their country by carrying on this war as contrasted with the land robbers who had fallen in the war is exactly the kind of preaching which the American section desired should be used for the purpose of forwarding their idea of the complete separation between England and Ireland, and which was of the greatest service to those who were indicating the policy of the Land League as distinguished from the extreme section, because it showed them that the Land League was advocating principles which would not stop principles which told people that they ought not to stop at murder if murder was necessary for the purpose of supporting their views. My Lords, it has often been said that the most absolute and complete exposition of this policy was truly described in a very remarkable manner by Mr. Gladstone in February 1882, when he pointed out that crime had dogged the steps of the Land League, when he pointed out that the sanction of Boycotting was the murder that stood in its rear, the murder which was not to be discovered. That is the point of the sting, not the mere fact of the murder, but the murder that was not to be discovered.

And just observe this, my Lords. Upon the people's side only two have yet been hanged, meaning all the rest had got off. Mr. Biggar down in some place says. "If you are charged with shooting a landlord we will take care that the Land League sees you get a fair trial," and as a matter of fact it will appear that criminal after criminal charged with these offences were defended at the expense of the Land League, and that is an organisation which is, forsooth, proceeding by legitimate means, and scouts outrages, and will have nothing to do with outrages. I humbly submit to your Lordships that it is absolutely impossible to exaggerate the wickedness, the enormity of men who would for one single instant remain in connexion with people who advocated these views, which I shall show your Lordships were brought to the notice of Mr. Parnell as far back as 1882 and 1883, and after those dates; and that his representatives were found still going to America, still associating with the same people, and receiving the sums of money which came from the "Irish World." One can perhaps feel some little more respect for the man who would openly express their views and stand upon



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a platform and support them, terrible and wicked, though it may be than the man who takes advantage of them, and says he does not approve of them. That will be for your Lordships to judge when you have heard the whole of the story.

In November 1881 "United Ireland" published the list of the editorial staff of the "Irish World," describing the editorial staff of the "Irish World." I am not going back to any incident. I was only mentioning the fact that at that date "United Ireland" did happen to give a statement as to who were the persons who formed the editorial staff. I will read an extract from "United Ireland":—

"The steamer 'France,' on which the distinguished gentleman  
"sailed from Havre, was due yesterday"——

I think that distinguished gentleman was Mr. T. P. O'Connor, who had long before been a representative of the "Irish World."

"Was on his way to the 'France.' He was not long in finding  
"Father Sheehy and Mr. Healy, and in greeting them in the name  
"of the Irish people in America. Mr. Healy then responded with  
"a few appropriate words, after which the procession took up its  
"way to the Fifth Avenue Hotel, whence Father Sheehy and  
"Mr. Healy drove to the residence of Mr. Patrick Ford."

The "Irish World" says:—

"Its editorial staff comprises the foremost men of the Irish  
"race and ablest pens of the labour movement, viz. :—

"Trans Atlantic,  
"Michael Davitt,  
"Thomas Ainge Devye,  
"Thomas Brennan,  
"Rev. J. Behan, of Ireland,  
"R. Shelton Mackenzie, LL.D.,  
"Prof. Henry Appleton,  
"Henry George,  
"W. M. C.,  
"Joseph P. Quinn,  
"Anna Parnell."

The land agitation in Ireland directly an offshoot of "Irish World" teaching. Michael Davitt, the founder of the Land League, Thomas Brennan, and J. P. O'Connor commemorates its special prospects. That is the description of Transatlantic who signed the articles I have been reading to your Lordships is put at the head of this distinguished editorial staff, and no doubt if Transatlantic had been teaching such things, then it was quite true to say that the Irish Land League might be said to be an offshoot of the "Irish World." My Lords, there never has been any repudiation of Transatlantic. I stated with reference to the position of Transatlantic in "United Ireland" was in 1881, but Transatlantic remained sending these lines, and this particular extract I read, of October 1882, was sent by Transatlantic in the "Irish World." It does not matter whether he wrote it or not, it was the name that was known as commending his observation to the people who were to read the "Irish World." In the autumn of that year 1882, Mr. Redmond was in America. I am not quite sure which Mr. Redmond it was. I expect it was Mr. John Redmond. I am not quite sure which it was, and they were entertained by Mr. Austin Ford, not Mr. Patrick Ford, and Mr. P. J. Sheridan were both on the staff of the "Irish World." Now, my Lords, at or about this date, I think it was rather earlier, that is to say earlier in the next year, there were several references to which your Lordships' attention will be called as to Mr. Ford's principles which were referred to in the "Irish World" for laying London, Liverpool, Manchester, and other cities in ashes. Of course there may have been a great deal of gross exaggeration about that,



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still it is part of the same teaching that led Ford to start the Skirmishing Fund and led the men of that party referred to to wish that another fund might be established having the same objects as the Skirmishing Fund originally had. Now on the 3rd March, 1883 appeared a statement. Mr. P. S. Sheridan who had fled from England, against whom, my Lords, there was a warrant for the Phoenix Park murders, was then engaged on the staff of the "Irish World."

I will read the description of Mr. Sheridan in the "Irish World." "Mr. Sheridan was one of the first to jump into the ranks of the Land League, he went about organising and doing a wonderful work in that way." My Lord, it was a wonderful work. He went about America in that way. "And causing him to be brought forward as one of the 14 traversers in the famous State trials that marked the commencement of the land agitation. After the failure of the Government in this, Mr. Sheridan went about his work of organisation, continued until again stopped by arrest under the Coercion Act. After six months in Kilmainham he was released. While going on with his usual labours of talking and organising he was suddenly called Dublin to attend a meeting of the executive, only to find Mr. Parnell arrested and the League about to be suppressed. He assisted in issuing the No-Rent manifesto and was given the books to carry away and open office in England, which he found to be impossible. He started for Paris, where Treasurer Egan had run before him. Here he, with others, established the Land League head-quarters, and carried on the work through the Ladies' Land League and other agencies when he came to America and has since been connected with the temporary staff of the 'Irish World.'"

The new departure I spoke of is not the new departure I spoke of, but Mr. Sheridan's new departure, namely, that he had been from the time he came from America on the editorial staff of the "Irish World." The old proverb seems to be strongly exemplified later on; by the way these gentlemen had happened to congregate together it certainly would seem scarcely necessary, except in the view I am taking, that Mr. Sheridan, the organiser of the Land League, the person who had, at any rate, been suspected and been connected with the Phoenix Park murders, should be at once on the editorial staff of the "Irish World," most naturally and most fit for the views of Patrick Ford and the editorial staff of the "Irish World," which, rightly or wrongly, we allege had been pursued by Mr. Sheridan as long as he was on this side of the Atlantic. Before that, my Lords, I wish to give you one other reference; I had missed it by accident. On the 31st March 1885, in the statement in the "Irish World" that there were dynamiters at Turner's Hall—that, I believe, is in America—I am told it is in New York, and at that O'Donovan Rossa and Finnerty spoke, and O'Donovan Rossa and Finnerty expressed their sorrow that the London dynamite explosions had not been more successful. You may possibly think that that is a small matter to refer to in the face of other expressions to which I have called your Lordships' attention, but you will see there is a reason for doing so, for I shall show that Mr. Parnell was perfectly well acquainted with the fact that Finnerty was a man who practised dynamite, in fact described him as being a dynamitard. Now, on the 25th April 1883 was the Philadelphia Convention, and there were present, my Lords, at that Convention, Thomas Brennan, Frank Byrne, Mrs. Frank Byrne, Boyton, Condon, Devoy, Patrick Egan, Finnerty, Colonel Flynn, John H. Parnell, that is Mr. Parnell's brother, Mrs. Parnell, James Redpath, O'Donovan Rossa, and John Walsh.

I would suggest to your Lordships that it is a matter of very considerable consequence in April 1883, that is to say, within barely six weeks after the disclosures with reference to the Phoenix Park murders, you will find in America so many of the persons who had been intimately connected with the organisation which had promoted outrages in Ireland. You will notice the name of Brennan, he was secretary, of Byrne, of Boyton, of Egan, of John Walsh, and P. J. Sheridan. I may have something to say in the course of my opening to you of the circumstances under which these gentlemen left England. That would seem to be a coincidence which would require some



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explanation, that all these gentlemen should visit America about the same time, and when they visit America, should all be found together in conjunction with a man whose sayings and doings I have been referring to, and whose object publicly expressed, and as far as we know, whose private influence certainly would show to be of a very violent description, and to have been not altogether legitimate. My Lords, what passed at that conference of the Philadelphia Convention? I think I shall be able to show you that there was the most distinct reference to what had passed at this convention, and some of the subsequent meetings and subsequent dealings of the Land League organisation. Now, on the 26th April 1883, Mr. Parnell wrote, so there was read a letter which Mr. Parnell had written under that date, and sent off for the purpose of being read at this conference.

My Lords, I may be allowed to pause for a moment; I have not mentioned those names, there are half a dozen others; there was O'Donovan Rossa, the well-known advocate of dynamite; John Finerty, and others, and all these gentlemen are associated with the known Land League official, but Charles Stewart Parnell writes to the president of the Irish American Convention a letter:—

“My presence at the most representative convention of Irish American opinion ever assembled being impossible owing to the necessity of my remaining here to oppose the Criminal Code Bill, which re-enacts permanently the worst provisions of coercion, and if passed will leave the constitutional movement at the mercy of the Government, I would ask you to lay my views before the convention. I would respectfully advise that your platform should be so framed as to enable us to continue to accept help from America, and at the same time avoid affording a pretext to the British Government for entirely suppressing the national movement in Ireland. In this way only can unity of movement be preserved both in Ireland and America. I have perfect confidence that by prudence, moderation, and firmness the cause of Ireland will continue to advance, and though persecution rests heavily upon us at present, before many years have passed we shall have achieved those great objects for which through many centuries our race has struggled.”

Now will your Lordships kindly note for an instant the original Land League had been, as was supposed, suppressed, that there had been started in October 1882 the National League. I said yesterday there is a little continuity of purpose of the National League. My Lords, Mr. Parnell was the chairman, Mr. Biggar was treasurer, and the committee were, Matt Harris, John Redmond, Sexton, Michael Davitt, William Brennan, and a number of other names which I need not read to identify them. Mr. Parnell addresses the most representative convention of Irish American influence, and addresses the president, and represents it as “the most representative convention of Irish American opinion.” He did know, or he did not know, who these people were, and if these persons are the most representative convention, or form the most representative convention of Irish American opinion, then we have on the Irish American side, practically speaking, nothing but persons who plainly and avowedly advocate outrage, who plainly and avowedly advocate that dynamite should be used, and that they associate with people who had not been able to remain in Ireland, in consequence of the part that they had taken in matters which were then forming the subject of inquiry. The most representative convention would not be improperly described as consisting of dynamiters and Fenians upon the one side and the accomplices of outrage and murder upon the other. My Lords, if that is the most representative convention, the expression of Irish opinion, I think your Lordships will be able to form a judgment as to what were the real bonds of union that bound together the two sections whose representative would be enumerated by the names to which I have just referred.

(Adjourned for a short time.)



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[Continued.]

*The Attorney-General,*

I have found, my Lord, a reference I had not remembered. I will not trouble your Lordship to take a note of it. I find it is only a further interview by a representative of the "Irish World" with Mr. Brennan. And a repeated request to spread more light and to ask them to send more copies of the "Irish World" into Ireland. As I have sufficiently dealt with the matter in passing, I need not trouble your Lordship with the actual date. I was about to read what passed at the last representative convention at Philadelphia on the 25th April 1883 and the following days. James Mooney, the president, spoke and referred to Mr. Parnell's absence, and said this:—

[The document was put in and read as follows]:—

"To our great disappointment he cannot be here to direct and inspire our labours. In unfriendly quarters it is sought to make it appear that he fears to join us, lest words spoken or action taken in our convention might compromise him. Such statements are pure falsehoods. . . . Though he is not here we have to direct our labours to the plan approved by him at the New National League in Ireland. This, together with many forcible expressions of his views that have from time to time reached us, will enable us still to work under his guidance.

"Then, too, we have to aid us by wise counsels Patrick Egan, to workers and organisers hardly second in importance to Parnell himself, in the successes already achieved. . . . We are here to-day chiefly to re-organise upon the same basis as that upon which the new National League in Ireland stands. We shall have the great advantage of the advice and suggestions of one who helped to inaugurate that body."

By that, I think, is meant Mr. Brennan.

" . . . . In spite of England the Irish-Americans will be a most important factor in the Irish question till that vexed question shall have reached solution . . . . It has been truly said of us that we 'hate England with an intensity of detestation unequalled by any class of Irishmen in Ireland.' . . . We can speak, act, organise, in her behalf. To evolve a union in their interests from all the elements that make up our race in America, we are here assembled in this city, auspiciously named 'by brotherly love.' . . . In Charles Stewart Parnell the Irish people have a leader whose place in history will be a proud one. . . . It is our desire to unite with the league he has established in Ireland that we may strengthen and support him in the labours he has undertaken. Setting aside our present views, we must work under his guidance in such a way as to best support and least embarrass him. It is our hope to see him win for Ireland land law reform, local self-government, extension of the franchise, development of industrial interests; and if all these were done the day would surely dawn brighter for the realisation of the hope that would spring up in every Irishman's heart, that under Heaven's blessing he might still lead on to that best and highest goal, national independence."

Mr. Brennan, the secretary of the National League, said:—

"If (landlordism) never can quench the light that has been spread among the Irish people, nor can it retard the consequent growth of Republican ideas. The war for Irish independence must



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“ go o . . . . . The people may differ as to methods, but in  
 “ essentials they are as one, and will so continue until the victory is  
 gained.”

Then Egan spoke and said :—

“ ‘ While Mrs. Moloney, the president of the Ladies’ Land  
 “ League, would work 14 or 15 hours a day in their office, Miss Parnell  
 “ Miss Moore, and Miss Reynolds, who is now in prison, were driving  
 “ over the roads and bogs, on side cars, carrying comfort and assist-  
 “ ance to the evicted tenants. (Applause.) I again thank you for  
 “ the noble support you have given this movement from the beginning.  
 “ I believe that I can promise you that under the leadership of Mr.  
 “ Parnell, with your assistance, the glorious goal of Irish indepen-  
 “ dence is near at hand.”

Then Alexander Sullivan spoke. He was the president of one of the  
 American branches, and of the Clan-na-Gael in America. He said :—

“ When we contemplate the intensity of the passion which  
 “ animates it (*i.e.* this assemblage) for the sole object we have in  
 “ view, and the diversity of honest opinion concerning the methods  
 “ by which that object may be accomplished it is meet that we  
 “ should (pray) !” . . . “ We are restrained at the same time from  
 “ stepping outside the functions of auxiliaries to the patriots who  
 “ are heroically struggling at home and in an alien and hostile  
 “ legislature in the vain hope of awakening the long-suspended  
 “ conscience of a powerful and brutal foe. . . We have met neither  
 “ on the one hand to dictate to our brethren in Ireland, nor on the  
 “ other hand to apologise to their and our common enemy for  
 “ anything. We have met to organise and concentrate all the  
 “ forces, that their united strength shall be made potential in our  
 “ National struggle. . . In the spirit in which Robert Emmet died  
 “ we live ; in his words, we are determined on delivering our native  
 “ country from the yoke of a foreign and unrelenting tyranny, and  
 “ to place her independence beyond the reach of any power on  
 “ earth.”

I desire to point out to your Lordship in connexion with these speeches,  
 that there are three names that are constantly referred to, the past patriots in  
 the Irish cause, Wolfe, Tone, Emmett, and Lord Edward Fitzgerald. Your  
 Lordship will remember those were men who were connected with the  
 rebellion of 1798 ; and none of these speakers refer either to O’Connell or to  
 Butt. Your Lordship will not have forgotten that O’Connell was opposed, as  
 I understand the matter, to anything like physical force or the shedding of  
 blood. It is significant that at these meetings at which these American Irish  
 were present, and being addressed, you find the references to the three names  
 I have mentioned, and not to the others, and the fact that the force is physical  
 force as distinguished from any Parliamentary work.

Now, my Lord, at that meeting in April I mentioned to your Lordship the  
 names of the persons who had escaped. I think I should also tell your Lord-  
 ship that Brennan had not remained in England, even up till that time in  
 April. Just before he got to America he had gone to Sicily, Palermo, and it  
 was from Palermo he went direct to America. Now, at about the same time  
 there were several references made to the visits of other persons to America  
 connected with the Land League, and notably Matthew Harris. Your Lord-  
 ship may probably remember that in one of the pages of “ Parnellism and  
 Crime ” it is stated that these various persons all happened to find their home  
 in the “ Irish World ” office. It was reported in the “ Irish World ” of 23rd  
 June, and this, my Lord, I think is very important, with reference to the  
 statement made as to the detection of the crime of the Phoenix Park, that Mr.  
 Ford stated to Mr. Matthew Harris that what some people chose to call



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[Continued.]

"Phoenix Park murders," he no longer thought a crime, but from an Irish standpoint, he considered it was an execution and not a murder. That statement of Ford's was reported in the "Irish World" of 23rd June 1883, and Mr. Matthew Harris, a gentleman whose name has been so often mentioned, was the person who was interviewing Mr. Ford in connexion with that statement which he then made.

Now, on the 30th June 1883 there is a reference made to Caffery in the "Irish World," who was the fifth man who was hanged for the Phoenix Park murders; and I desire to tell your Lordship that in connexion with the Martyrs' Fund which was started, your Lordship will find that because Caffery had confessed his crime, and had not pleaded not guilty, but had confessed his crime, and expressed his contrition, the "Irish World" stated that, inasmuch as he had foolishly apologised for what he did, and tried to explain it away, therefore he had succeeded in depriving himself of all sympathy, and Caffery's relatives were excluded from participation in the Martyrs' Fund, and from the distribution of the money which, as I told your Lordship, when referring to that fund, was collected for the families of those men who were condemned for the Phoenix Park murders. But, my Lord, there was an incident also reported in the "Irish World" which, I submit, will place that matter in even stronger light than any mere reference to the exclusion of Caffery or the reason which led to that exclusion. On the 2nd July 1883 there was a New York Martyr's Meeting, and I should like to tell your Lordship who were at that meeting. Frank Byrne, Mrs. Frank Byrne, Patrick Ford, O'Donovan Rossa, P. J. Sheridan, John Walsh, and Hamilton Williams. I mention those names. There are some four or five others; but I can give your Lordship no information about those names. The meeting was called (Mr. Sheridan was in the chair) to pay homage to the murderers of the Phoenix Park, and at that meeting those who were present paid homage and honour to the murderers of the Phoenix Park; and at that meeting Mr. Frank Byrne, who was the secretary of the English Land League, and who had escaped to America in 1883 in the early part of that year (I will say no more than that with reference to what the mode of his escape was) made this speech, which was reported in the print of the "Irish World":

"I am not fastidious as to the methods by which the cause of liberty may be advanced. (Applause.) I do not say you should alone use dynamite, or the knife, or the rifle, or Parliamentary agitation."

Your Lordship will observe the position in which "Parliamentary agitation" is put.

"Dynamite, or the knife, or the rifle, or Parliamentary agitation; but I hold no Irishman true who won't use all and each method as the opportunity presents itself."

At that same meeting John Finerty spoke, and his speech was reported in the "Irish World."

Sir C. Russell.

Where was that?

The Attorney-General.

On the 2nd of July, but not at New York, at Chicago. There were two meetings held, one in New York and the other at Chicago.

The President.

This is Chicago and not New York.



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[Continued.]

*The Attorney-General.*

Not New York. I had not noticed the extract states that the meeting was held at Chicago. The first two speeches, those of Byrne and Sheridan, were at New York.

*The President.*

This is of Finerty at Chicago.

*The Attorney-General.*

This is of Finerty at Chicago. I will show your Lordship later on what the continued relations were between Mr. Finerty and the Irish representatives, the representatives of Mr. Parnell long after Finerty's character was known and had been publically stated and admitted by Mr. Parnell. So far as the year 1883 is concerned, I do not think I have anything further to announce in connexion with the "Irish World," beyond the constant receipt of money. I am going to take that entirely separately and show your Lordship the numberless acknowledgments of money coming from men culminating in the final receipt. There were many statements in connexion with the Martyr's Fund. On the 1st of September 1883, in that same year describing the Martyr's Fund, the martyrs were stated to be the Phoenix Park murderers in the "Irish World," and the money collected for their families as an incentive to other men to dare and do likewise for Ireland. Your Lordships will not have forgotten what I ventured to address to your Lordships yesterday in connexion with the incident of the feelings expressed by Mr. Parnell in Parliament for that deed. Genuine as those feelings may have been, they did not prevent Mr. Parnell from associating both directly and indirectly with men who expressed no such feelings; but, on the contrary, were by both their writings and their speeches, showing that they took a very different view of what had occurred in the Phoenix Park on the 6th May 1882. On the 8th of September 1883, Finnerty made another speech. I do not remember, my Lord, and I am not sure that the report which I have from the "Irish World," though I shall be able to prove the publication of the "Irish World," states where the speech was made. It may do so when I put the paper in evidence.

"Honest John Mitchel used to say that he was sorry the Irish people had not shot half enough Irish landlords. He would go further, and deliberately say that he was ashamed of the Irish people if they had powder and shot they had not shot them all. The whole Cabinet, the Lord Lieutenant, the Chief Secretary, the Privy Council were all guilty of murder, and if any man could have power to place them all beneath a single guillotine and lop their heads off at once, that man would be justified in the sight of God and man."

Now, your Lordship will remember the O'Donnell Fund, which was referred to in some extracts, I think, I quoted yesterday, which was the fund which was collected for the purpose of the defence of O'Donnell. In order to promote subscriptions to that fund there were references to it in the "Irish World," and this is the way in which the Rev. George Pepper is described as advocating the Martyr's Fund in order to obtain subscriptions. It is the 15th of September 1883:—

"If Ireland possessed 5,000 such men, magnificently gifted men like O'Donnell, her deliverance would be achieved. . . . O'Donnell's shot has reverberated round the world, making English tyranny tremble. The storm raised by the mighty spirit of that heroic man, I trust in God, will tear up root and branch traitorism to liberty in my native land."



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[Continued.]

Mr. Michael Davitt.

Is this the Rev. George Pepper, Methodist minister ?

*The Attorney-General.*

The Rev. George Pepper, Methodist minister.

My Lord, with reference to the man Trans-Atlantic, several of whose utterances or writings I have read to your Lordship to-day, I think it will appear from the statement of Mr. T. P. O'Connor himself that Trans-Atlantic was the first subscriber to the so-called constitutional organisation of the Land League, that is to say Mr. Parnell's organisation, and that statement is made by Mr. T. P. O'Connor on the authority of Mr. Parnell himself. I only mention it for the purpose of showing that it was very well known, and I shall be able to prove this fact directly as to who Trans-Atlantic was, and as to what his position was. On the 20th September 1883, there was a meeting to receive in Chicago Daniel Curley's widow. That was the widow of the man who had been hung for the Phoenix Park murders, and Mr. Finerty again made a speech :—

“ He was proud to meet and to greet with them upon that platform the widow of the brave and unfortunate Daniel Curley.  
 “ . . . . . It did not become any Irishman the world over  
 “ to apologise for any act committed by his outraged countrymen  
 “ against that infamous Government. . . . . Although  
 “ his audience and himself might approve of sterner means to  
 “ effect the liberation of Ireland, if they were immediately available,  
 “ still they owed a tribute of respect, obedience, and admiration to  
 “ that great man who had arisen as a morning star on the horizon  
 “ of Irish politics, Charles Stewart Parnell.”

In October of the same year, my Lord, the “Irish World” published a lecture by P. J. Sheridan on the 13th of October 1883, in which he stated that he was in favour of :—

“ Well directed scientific warfare, dynamite and try nitro-glycerine.”

That was P. J. Sheridan, the man who had been the organiser of the Land League, and who, I shall show your Lordship, at some of the subsequent meetings took part in proceedings at which some of the gentlemen who are mentioned in these particulars were present. Now I come to the year 1884, and your Lordship will learn that these anniversaries were not confined to the Phoenix Park anniversaries. On the 14th May 1884 was the Brady anniversary. That, my Lord, was the anniversary of the execution of Brady, who was one of the Phoenix Park murderers. He was the man who was supposed to have struck the blow. At that anniversary were present Frank Byrne, Mrs. Frank Byrne, Patrick Egan, O'Donovan Rossa, Edward J. Rowe, and letters of regret were received from Patrick Ford, and in connexion with that Byrne made a speech, my Lord. I am told by my learned friend Sir Charles Russell, that Mr. Egan was not there. Of course I will take his statement, I have no means of knowing it. I am much obliged for the correction. The Patrick Egan there is not the same Mr. Patrick Egan. Patrick B. Egan, I am sorry I made the mistake. I am obliged for the correction. Now, on that 14th of May, my Lord, two speeches were made, one by Byrne and one by Hamilton Williams, Frank Byrne being the man who had been before in the employment of the Land League. Dr. Hamilton Williams said :—

“ He has given to us the weapon, the only weapon, that will be  
 “ successful, and that is dynamite . . . . We can make the  
 “ government of Ireland by England one of the most costly experi-



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[Continued.]

“ments that ever the frenzied and crazy imagination ever took in  
 “hand; we can create such a condition of things that to every  
 “English Ministry and every English official in Ireland it will be  
 “absolutely a living Hell, and government will be a living death.  
 “... And woe be to the time when any of the wretched Guelphs,  
 “the Queen’s sons, or the Queen herself dare to put their or her feet  
 “on the streets of Dublin, for we mean to take the avenging knife  
 “that killed Cæsar in the Senate House in Rome, and any man  
 “who refuses to recognise this means of dealing with the enemies  
 “of Ireland put him outside the camp and have no connexion with  
 “him . . . . Do, therefore, everything in your power to honour  
 “the memories and imitate the deeds of men who through good  
 “repute and bad repute proved a strong fidelity to principle and  
 “knew how to die.”

Then he introduced Mr. Byrne on the same occasion, and said:—

“I have the pleasure of introducing to you a gentleman whom  
 “you will be all glad to hear. He has proven himself one of the  
 “wisest in council, one of the calmest in debate, one of the bravest  
 “that was ever found in the ranks of any revolutionary movement  
 “—I allude to Mr. Frank Byrne; and should I forget to mention  
 “the name of Mrs. Byrne, a woman who shows she is as true as  
 “steel to all those heroic ideas of womanhood which typify the  
 “feminine character of Ireland.”

Your Lordship may possibly remember that the statement made in  
 “Parnellism and Crime” on the authority of the “Irish World” was that  
 Mrs. Byrne was the woman who took the knives across to Dublin with which  
 the Phoenix Park murders had been committed. Now, Byrne, the ex-  
 secretary of the Land League spoke, my Lord—

Sir C. Russell.

Where can you get these?

*The Attorney-General.*

You can find them in the “Irish World.”

“He warmly applauded Joe Brady’s ‘noble act!’ ‘There is,’  
 “he said, ‘one broad statement which I am prepared to make, and  
 “‘it is this, that it is the duty of the Irish people to kill every  
 “‘English official who comes into their country. I would ask you,  
 “‘are you in earnest? If you want to honour Joe Brady’s memory,  
 “‘if you want to imitate his example, you will have to work. (A  
 “‘voice—‘Quite right.’) I therefore ask of you present who are  
 “‘prepared to follow the example of Joe Brady to stand up. . . .  
 “‘You who think these are men going from this country to do  
 “‘the work are mistaken. The men at home will do, and all they  
 “‘want is the money and the word of order. Give them the money  
 “‘and the commands will follow, and the work will be accom-  
 “‘plished.’”

O’Donovan Rossa spoke and said:—

“I hold, that every Englishmen who goes into Ireland for the  
 “purpose of administering English law, should be slain within  
 “24 hours. The meeting resolved ‘that they regarded all means  
 “‘looking to the destruction of foreign domination in Ireland to be  
 “‘justifiable and commendable,’ and ‘that they would sustain the  
 “‘Emergency Fund.’”



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[Continued.]

The Emergency Fund my Lord, was a fund which Ford kept and stated that he never disclosed how it was spent. It was money, the spending of which was entrusted to him. He rendered no account of it. The Emergency Fund was evidently something which the extreme American section regarded as being even beyond any of those funds which had an object which could be disclosed. Then my Lord, occurred the Boston Convention of the 30th August 1884, and at that Convention there were present the Reverend George Bates, Thomas F. Burke, the Reverend James J. Conaty, Patrick Egan, John Boyle Reilly, Mrs. Parnell, James Reynolds, William Redmond, M.P., Alexander Sullivan, the man whose speech I have first read to your Lordship, Thomas Sexton, M.P., and Dr. W. B. Wallace, Dr. W. B. Wallace being the man who had welcomed Mr. T. P. O'Connor, and had made the speech respecting the Phoenix Park murders which I read to your Lordship some time before, all which have been, as I stated, reported. I am sorry I have not read at full length the full report that I had of Sheridan's speech at the New York martyrs' meeting. I unfortunately happened, having got two extracts, one which seems to be verbatim and the other which is only a more condensed, to have read the shorter one.

Sir C. Russell.

The meeting of the 8th of September 1883.

*The Attorney-General.*

The meeting of July 1883, the New York martyrs' meeting, at which Sheridan and Dr. Hamilton Williams spoke and Mr. Byrne spoke. I will read it to your Lordship. Sheridan said:—

“That the object of the meeting was to pay homage and honour to the men who have given up their lives in the cause of Ireland. . . . It has been stated that none but men devoid of all humanity would have recourse to certain methods for distressing an enemy not hitherto recognised in ‘civilised’ warfare. What has brought up this discussion? The acts of a few brave and dauntless men, who, seeing it impossible to cope with the power of the oppressor by ordinary methods of warfare, loved their country too much to sit down in despair, and availed themselves of the advantages presented to them by the science of the nineteenth century to see if they could not do it by means hitherto untried. The men who have been murdered in Dublin were so convinced and so acted. There is no human being here to-night who is not convinced that these men were guided by pure and noble motives. They had suffered no individual wrong at the hands of England. Such were the feelings that actuated those heroic spirits who were murdered on a scaffold in Kilmainham recently. I hold that men capable of those acts and motives are worthy to be placed on the roll of martyrs side by side with the immortal names of Tone and Fitzgerald, the Sheares, and Emmett; Allen, Larkin, and O'Brien, and all the other noble spirits that placed their lives on the altar of Irish freedom. So long as the love of Irish freedom lives the names of Joe Brady, Daniel Curley, Fagan, and the boy hero, Timothy Kelly, shall be honoured by every Irish patriot. . . . They believed that so long as they could not contend against England with an army and a navy they had a right to have recourse to every means and any methods to put an end at once and for ever to the sufferings of the Irish people.

“For doing so I maintain that humanity is indebted to them, because their mode of warfare inflicted her suffering and will produce greater results to the oppressed than the ordinary one of whole destruction by regular armies.”



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[Continued.]

Now, my Lord, I was unfortunately obliged to go back to that speech because I had taken the wrong report. I was relating to your Lordship what happened at the Boston Convention. At the Boston Convention, there being present Mr. Sexton and Mr. Redmond, a variety of speeches were made, and amongst others was made a speech by Alexander Sullivan and one by the Hon. M. V. Gannon, to which I call your Lordship's attention.

Alexander Sullivan said :—

“ The memorable Philadelphia Convention organised the Irish National League of America. It is the auxiliary of the Irish National League of Ireland. . . . The Irish National League, whose distinct and avowed purpose is the establishment of the sovereignty of the Irish people in Ireland, is the embodiment of that spirit of liberty. . . . The National League aims not merely at a reduction of rents; not merely at a change from idle proprietors to working proprietors, but at the creation of complete national life and the development of all the diversified industries which render a people self-sustaining and prosperous.”

That statement which was made as to the Irish National League and the Irish League of America being auxiliary to the Irish National League was made in the presence of Mr. Thomas Sexton, Mr. William Redmond, Mr. Patrick Egan, and Mr. Parnell, which of course is not the same thing. At a meeting of the same convention Mr. Gannon said :—

“ Those that say to us Irish that we must be eternally attempting some crime in Ireland, and talk particularly when an exasperated Irishman lifts his weapon against a landlord who has ruined him, know too that on these historic fields Americans were fighting against this same enemy of Ireland, with liberty on their lips, but bullets in their muskets. While we should support ardently, loyally, the constitutional policy laid down by our glorious leader, Mr. Parnell, yet at the same time, we shall not go round with any lying lips, apologising for any patriot Irishman's crime. When they give back Francis Hynes and place him in the flesh; when they restore in life the murdered Irishmen of this past decade, then, perhaps, we may pass by on the other side, and pretend there is a tear in our eye; but until then it is not our time for crying.”

I think, my Lord, it will be proved before your Lordships that Francis Hynes was a man who had been tried and convicted of murder. He was tried, if I remember right, before Mr. Justice Lawson, but whatever it may be, this is the way in which, at this convention, in the presence of these gentlemen, the fate of a man who has been tried and convicted of murder has been spoken of, and the other patriot Irishmen's crimes are not to be apologised for, meaning Allen and Larkin and O'Brien and the other persons who had been guilty of the same atrocious crimes. At that convention resolutions were passed :—

“ 1. That the Irish National League of America hereby expresses its unqualified approval of the course pursued during the past year by Charles Stewart Parnell and the Irish parliamentary party under his leadership, and pledges itself to support them by every moral and material aid in the contest which they are waging against landlordism, and on behalf of Irish national independence, and to this end we commend the Parliamentary Fund, recently opened by our executive for such purposes, to the generosity which characterises our countrymen.

“ 7. That the gratitude of the Irish race is due in a particular manner to the executive of the League, Alexander Sullivan for his unselfish devotion to the cause of Ireland, and that in his course he has shown consummate skill and exalted patriotism.”



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Mr. Sexton then spoke; he said:—

“I am able to say that upon being selected by your committee on resolutions, I find myself heartily in agreement with every resolution, with every principle of those resolutions, which you have adopted without discussion . . . .”

“ . . . . We are now approaching the verge of a settlement which will . . . . produce such a measure of popular comfort and of social independence as will render the will of the people irresistible, and will render it impossible for any Government any longer to delay or to defeat our claim for national independence.”

There, my Lord, your Lordship will observe what Mr. Sexton and Mr. Redmond are obliged to say before the American audience when it is necessary to keep up and strengthen the bonds of sympathy that existed between the two organisations. But in the face of that, if that be proved, I do not know how it will be possible for anybody to suggest that the American Land League is not part of this same organisation; I say part of the same conspiracy as that which existed in Ireland, and that Mr. Parnell, in drawing his supplies from these sources was drawing supplies from the men who were in fact his allies, although they had preached such principles, such doctrines, and encouraged such acts as those to which the writings of Transatlantic, and the speeches of Byrne, and the speeches of Williams, and many others I have read this morning, would excite. My Lord, the statement is made in the “Irish World” of the 27th September that Ford had collected another sum of 15,000 dollars for the purpose of laying London, Liverpool, and Manchester in ashes. Of course, it is only a statement of another Skirmishing Fund which had been started, and to which subscriptions had been given by persons who were foolish enough to think that such schemes could have some useful result. My Lord, I do not know whether my learned friends will suggest that this is all wild talk. It was not wild talk when the money came into the till of the Land League. It was not wild talk when the dynamiters came over to England, and succeeded in causing explosions which caused death and injury to various people in various parts of this metropolis, to say nothing of explosions which occurred in other parts of the country. I do not think your Lordship will be satisfied with any suggestion that this is wild talk, or that there is any justification for this literature being circulated by the Irish Land League, or persons who are supposed to have carried on a *bonâ fide* constitutional agitation being in league with persons who could practise and encourage such practices as I have been referring to.

Sir C. Russell.

What was the date of the last one you read?

*The Attorney-General.*

The 27th of September 1884. There is one other matter I wish to call attention to in connexion with Patrick Ford. On the 20th April 1885 a farewell dinner or farewell reception to Mrs. Kenny, who was Miss Hannah Reynolds, at which were present Mr. and Mrs. Frank Byrne, Mr. Ford, Mr. Augustine Ford, Condon, and several other persons whose names I do not mention. Miss Reynolds was one of the ladies of the Land League who had been doing the work at the time that Mr. Parnell and others were in prison, whose progress through the particular part of Ireland was marked by a succession of outrages, as to whom evidence will be given, your Lordship, that her path may literally be described as being a path of blood, and if I remember right some proceedings were taken against her. I think some proceedings were taken against her in consequence of the acts of which



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she was proved to be guilty. However, Mr. Frank Byrne made this statement of Miss Reynolds' labours ;—

“ In my capacity as Secretary of the Land League of Great Britain I naturally became familiar with many facts concerning the noble work being done by the Ladies' Land League, and I found that on every occasion where the practical portion of the work was to be done Miss Reynolds was to be found in the forefront.”

That was reported in the “Irish World” of 2nd May 1885. Another gentleman, Mr. Forrester, also spoke of Miss Reynolds at the same meeting.

“ He noted the way in which Miss Reynolds had gone from village to village ‘cheering the despondent, warning the wavering, threatening the cowardly;’ and how when it was necessary that the inmates of the next cabin should be . . . sternly instructed that it was their duty to pay no rent, she had given that instruction.”

Now your Lordship can understand what was the knowledge before these gentlemen who approved of the conduct of the organisation in Ireland during the time to which the previous resolutions referred. It would occur to one that that kind of instruction and threat was the intimidation which has been practised under the auspices of the Land League ever since its foundation.

Now I go to the incident of the Phoenix Park banquet of the 6th of May, at which were present Frank Byrne and Mrs. Frank Byrne. I do not know whether Mr. Patrick Egan was there. It is doubtful.

Sir C. Russell.

It is the same Egan.

*The Attorney-General.*

I beg your pardon. There are two Egans down. It is doubtful whether it is the same Egan or not. I cannot make any statement about it. There were also Mr. E. J. Rowe and Mr. John Walsh, and the full report of this is contained in the “Irish World.” The account of it will be found on the 16th of May 1885.

“ On Wednesday evening, May 6th, 1885, the Phoenix Park anniversary, one of the happiest Irish national reunions that has taken place in New York in some time, was held at the Sinclair House, Broadway. The brilliant gathering of ladies and gentlemen included P. Egan, John Walsh, Austin E. Ford (Chairman), Robert E. Ford, Edward J. Rowe, Judge McCarthy, and other members past or present of the constitutional organisation.”

Your Lordship will remember this incident is recorded in “Parnellism and Crime.”

“ This, too, was a complimentary banquet ‘to one who was an important, though most unpretending actor in the event that is marked by the 6th of May.’ The guest of the evening, in the words of Austin Ford, as he presented her with a ‘well-filled purse,’ was ‘a brave little woman whose memorable courage in connexion with the victory in the Phoenix Park three years ago is known to us all.’ The ‘brave little woman’s’ name was Mrs. Frank Byrne.”

“ Another speaker ‘honoured Joe Brady as the modern Coriolanus, who struck a great blow for liberty;’ and Mr. P. Egan moved the best thanks of the assembly ‘to Patrick Ford of the ‘Irish World,’ for his unswerving loyalty to the Irish cause.’ ”



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Now, my Lord, on the 23rd of November 1885 was the "Manchester Martyrs' Anniversary." Your Lordship will find that there were in all these instances reports in the "Irish World" of these proceedings at which these men who had literally been criminals convicted of murder were treated as being martyrs, and patriots, and persons whose examples should be followed and imitated. There were present at that Frank Byrne, Mrs. Frank Byrne, several of the Fords, John H. Parnell, Mr. Parnell's brother, and Mr. Edward J. Rowe. Now, I have told your Lordship that the "Irish World" showed sympathy with dynamiters by their speeches and by their writings. I think your Lordship will find that that by no means was the only way in which they showed sympathy. In the year 1885, they opened a fund through their columns for Burton and Cunningham. They were the persons who were arrested and tried and I think are now undergoing penal servitude for the dynamite explosions in the House of Commons, in the Tower, and the Underground Railway; and this was the way in which the "Irish World" spoke of these men in soliciting subscriptions; this is the literature which was circulated by the National League through the length and breadth of Ireland—

" Whether Cunningham and Burton were or were not participators in the acts for which they are now suffering they are entitled to the warmest sympathy of the Irish race. If it is true that they endeavoured by waging active war on England to force England to cease plundering and oppressing Ireland, they are martyrs of Irish liberty."

My Lord, I scarcely think that your Lordships will be of opinion that in view of what the objects are which the organisation desired to obtain or any means however extreme which they wished to pursue could justify treating such men as either patriots or martyrs for their country. In the month of September, in the same year, a special sum of money was sent over and acknowledged from the trustees of the Emergency Fund to Mr. Parnell, to enable him to purchase the interest in an Irish newspaper, I think, called the "Irishman." That was the paper which I mentioned to your Lordship was amalgamated with and practically ceased to exist when "United Ireland" held the field, so that there was no further necessity for having an independent paper.

Sir C. Russell.

What is the date of that?

*The Attorney-General.*

5th September 1885. I am giving the date of the report. I am not saying that is the date the money was sent over. I should think, in all probability, the money had been sent over before; but, my Lord, as a matter of fact, if it be true that Mr. Parnell was only holding this "United Ireland" as a trustee for the Americans who had found the money, when you come to examine the real position, Mr. Parnell and the members of his party were to a great extent but the puppets of the American party who supplied the funds and could command them. They were obliged to assent to any proposals with regard to these extreme methods, because, otherwise, they could not have commanded either the American sympathy, or what is much more important to them, they could not have got the American supplies.

Now, my Lord, I come to the year 1886, and I wish to call attention to the Chicago Convention of the year 1886. This is the convention in respect to which the "Times" have made a mistake, and stated that Mr. T. P. O'Connor was present at this convention; and Mr. T. P. O'Connor has such an opinion, my Lord, of the gentlemen who were at the convention that he alleges it is a libel upon him to have stated that he, Mr. T. P. O'Connor, was present at that convention. He does not object to the statement being made as to his being present at the earlier conventions, where, practically speaking, the same



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policy was supported and the same persons were present. I do not know what the gentlemen who were at that convention think of Mr. O'Connor's view of the matter. It is a little significant that he should assume or take up that attitude with reference to the particular mistake which was made in the columns of "Parnellism and Crime" with reference to his attendance at that convention. My Lord, it is a convention of very considerable importance. There were present at that convention the Rev. George Betts—it is August 1886; the actual date is the 17th or 18th August 1886—there were also present at that convention William O'Brien, John Redmond, and John Deasy. I think Mr. Davitt was also present. I was not aware of it; it was not on the list before me; but I will assume he was; I shall state that he was. There were also present Thomas Brennan, John Devoy, Patrick Egan, Patrick Ford, John Finerty, Mr. T. P. O'Connor of Illinois (that is the one which gave rise to the mistake); the Rev. George Pepper (that was the dissenting minister, a Methodist minister, who had made that speech which I read to your Lordships about an hour ago); E. J. Rowe, Mr. Alexander Sullivan, Dr. Wallace, and John Walsh. My Lord, I called your Lordship's attention to the fact that Finerty was present at that meeting, and that he had been recognised by Mr. Parnell as a dynamitard. My Lord, I shall prove before your Lordship that when Mr. Finerty's name was mentioned by Sir George, then Mr. Trevelyan, in the House of Commons on the 25th May 1886, Mr. Parnell himself said that Mr. Finerty was a gentleman who was strongly in favour of dynamite. He interrupted, I suppose, to discredit any allusion to anything Mr. Finerty may have said by informing the then Speaker that Mr. Finerty was a gentleman who was strongly in favour of dynamite, for the purpose, no doubt, also of suggesting at that time that there was no connexion between him or the members of his party and Mr. Finerty. That was in the month of July 1886.

*The President.*

What was in July 1886?

*The Attorney-General.*

The statement made in the House.

*Mr. R. T. Reid.*

You said the 25th May.

*The Attorney-General.*

Yes, my learned friend is quite right, I apologise to your Lordship for making a mistake—the 25th May 1886. This was the kind of discussion that took place at this Chicago Convention. Mr. Ford said he had come to Chicago at Mr. Redmond's special request, had commissioned him to assist Mr. Davitt and Mr. O'Brien in framing the resolutions. As a matter of fact they were framed by Mr. Rowe. Mr. Egan, the ex-treasurer, spoke. Mr. Secretary Brennan also spoke, and Finnerty, the dynamiter, spoke. He said:—

“That whatever Parliament might do for Ireland, they too (the Irish Americans) had a long and terrible account to settle with England. ‘Let the Irish in Ireland pursue if they choose their paths of peace, but if they (the American-Irish) could do anything to injure England, to annoy England, to keep her awake ‘o’ nights they would and they ought to do it.’ He begged the ‘constitutional leaders’ ‘not to be apologising for their relations ‘with the American-Irish in the house of their common enemy.’”

No doubt referring to Mr. Redmond, Mr. O'Brien, and Mr. Deasy, who were present and hoping they would not repeat the conduct of Mr. Parnell as



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to which Mr. Ford had expressed his disapproval, namely, by withdrawing or in any way going back from any statement made as to the American connexion. Mr. Patrick Egan congratulated the meeting on "their good sense and unity," and Mr. Michael Davitt deprecated a policy of unprofitable revenge. He did not believe dynamite to be necessary, but he found no fault with Mr. Finnerty or Mr. Sullivan for the sentiments which they had expressed.

Mr. Michael Davitt.

May I ask what paper the Attorney-General is quoting from.

*The Attorney-General.*

I am quoting from the "Irish World" of the 28th August 1886. Of course it will be for those who were present to correct when evidence is being given any mis-statements that there may be. I do not know whether or not the reports in the "Irish World" are supposed to be fictitious and made otherwise than by competent reporters; but if anything of the kind is suggested, I believe I am strictly correct, my Lord, in saying that from beginning to end, as far as the columns of the "Irish World" have been searched, or "United Ireland" has been searched, there has not been a single correction, withdrawal, or abandonment of any statement made, nor has there been anything introduced or written to in any way qualify or tone down the statements which had been made by these speakers whose reports were so given.

Mr. Michael Davitt.

I only asked the question because the "Times" had a report, and I only expected the Attorney-General would quote from the "Times" report.

*The Attorney-General.*

have an opportunity of dealing with that matter.

*The President.*

I did not catch the observation.

Mr. Michael Davitt.

I explained the reason of my interruption was I asked the Attorney-General from what paper he was quoting, as I expected he would quote from the "Times," inasmuch as the "Times" had a reporter at the Convention.

*The President.*

That is a fact which would be more profitably introduced as evidence, not as an interruption.

*The Attorney-General.*

On my instructions, Mr. Davitt's information is not correct, but that we will see when the evidence comes. On the same occasion, I think at the same meeting, Mr. Davitt made a further speech. I am not certain, in the report from the "Irish World," which I have before me, that the next sentence is a passage of Mr. Davitt's, and, therefore, until I am enabled to give evidence on the matter I do not wish to read anything as part of my opening which I cannot trace, on my instructions, to Mr. Davitt; but it is sufficient for my purpose that again we have in the year 1886 a distinct imitation of the work which bound together the National League and the American section, just as it had bound together the Land League and the American section. At that meeting a service of plate was presented to Mr. Patrick Egan, and a telegram was read from Mr. Parnell "thanking the convention, and declaring that the



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“ratification of our policy and action; the union and moderation of the proceedings had created a profound impression here, and added great strength to our position.” I do not know how it can be suggested, in the face of those reports of what happened in the year 1886, that the American and the Irish National League were not still closely in alliance, and were collecting for the purposes of the joint organisation, the moneys to which I have referred. Now, my Lords, I stated, and I must make good that statement, that Mr. Michael Davitt had pointedly referred to the teaching of the “Irish World,” and I refer to a letter written by Mr. Davitt, as late as the year 1885. This is an extract; I believe it is the whole, as far as it is material, of Mr. Michael Davitt’s letter of the 7th October 1885, referring to the whole course with reference to the “Irish World.” He said:—

“The ‘Irish World,’ which, of course, means Patrick Ford, has always been a guide, philosopher, and friend of mine since my liberation from Dartmoor, and if I have had to differ occasionally with some of its teachings, and to criticise the wisdom of its plans for the freedom of Ireland, I have never for a moment doubted the unselfish patriotism which prompted such plans, or forgot the unparalleled services which you rendered to the Land League movement from its very inception until its organisation, but not its spirit, was suppressed by the Government of England.”

That came from the “Irish World.” I do not suppose that Mr. Davitt would repudiate any statement that is made of that kind, if so, Mr. Davitt is one of the witnesses who can give the strongest evidence in support of the view for which I am contending, and that is that there was but one conspiracy, that there was but one organisation—call it by whatever names you like—and that the object of that organisation, the object of that conspiracy, was to attack the felon landlords, to attack the felonious Irish landlordism, to drive it out root and branch, once and for all from Ireland and Irish soil, to put the Irish soil in the possession of the Irish tenant, thereby to destroy what has been called on so many occasions the English garrison in Ireland.

I told your Lordships that I would give you a brief record of the connexion between the “Irish World” and the Irish Land League and the National League in the matter of money. I am not able at the present time, nor is it necessary that I should at the present time, put in a complete statement with regard to the matter, the files which are at my disposal not being completely searched for the purpose of making a complete record. Your Lordships know there is a summary in the sheet to which I called attention yesterday, where the total is given of the whole funds and the receipt signed by Egan. It ends with 343,000 dollars. Practically speaking, in every one or two issues, sometimes once a month, sometimes twice a month, sometimes three times a month, there are acknowledgments sent by Patrick Egan to the “Irish World” of various sums of money received on behalf of the Irish Land League Fund, and there are payments received through the medium of the “Irish World” which undoubtedly formed, as Michael Davitt said when he wrote this letter in the year 1886, substantially the principal course from which the funds of the Land League came. I want to make a few observations before I leave this part of the question with regard to America. I do not want to read this very strong and forcible language which occurs in “Parnellism and Crime.” I do not want to refer to a statement of mine in by no means strong or forcible language, but to plain facts that I shall be able to prove as to those who were in connexion with Mr. Parnell, and those with him, and Mr. Ford.

I have to-day travelled over a period of no less than eight years, from 1878 to 1886. I have shown, and so far as I know at present there is nothing to contradict the statement that I have made, that the initial plan of the Irish Land League emanated from Michael Davitt after consultation with Ford in America. I daresay there had been consultations in Ireland before. Mr. Michael Davitt, no doubt, is a very clever man. It may be that Mr. Michael



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Davitt was the person who originated all these ideas, but be that as it may, the Irish Land League does not exist until Davitt has been in America and consulted Ford. He comes back, and he has a difficulty in inducing Mr. Parnell to assent to the programme he had prepared. Why? Because Parnell was afraid he might be driven too far. Mr. Parnell yields in an evil hour, and what is the result? That American money is immediately forthcoming, and is produced for starting the first initial organisation of the National League. During the years 1881, 1882, and 1883 constant and continued reference to the services rendered by the "Irish World," constant and continued application for more copies, large sums of money coming in which are utilised for Land League purposes; and during a portion of this time, undoubtedly, attempts at gross outrage, unconnected with the land agitation which emanated from America, and of which not only the vile criminals who carried them out, but the agents through whom they were carried out, all came from America. As far as I know it will be proved before your Lordships, and if I remember rightly there is a statement made somewhere in my instructions that all the dynamite outrages which took place in England were believed to have been with American dynamite.

What is the state of things? You have got the extreme party clearly placed during all this time in immediate alliance with the Irish Land League section.

What is going on in Ireland? The other plank is being walked, or rather the poor unfortunate people are being made to walk that other plank, to the fullest extent that the Irish Land League can possibly compel them. Victim after victim who has committed no offence, except that he has paid his rent, has been made to walk that plank on the platform that Mr. Michael Davitt built. All that, at any rate, culminates to a point in the year 1882, and goes on during the years 1883, 1884, 1885, and 1886, and if the story I have told your Lordship is true, and I challenge my learned friends to suggest when it comes to their turn that it is not true, you have the same intimate connexion between the conspirators.

The only matters for me to fill up, the only part of the story with which I have not dealt, is, aye or no, did the National League do the same sort of work which the Land League had done? I do not hesitate to suggest to your Lordships that in dealing with the history, prior to the year 1882, I at any rate, if I prove my case successfully, demonstrate that the Land League had been supported by vile conspiracy, and only lived by the intimidation and cruelty practised on the unfortunate peasants in Ireland. What we have to consider for the purpose of the question of the alleged libels and slanders is aye or no, was the course of conduct which Mr. Parnell, and those who were with him, pursued at the end of 1883, 1884, 1885, and 1886, the same, or was it different? Did the National League repent of the evils which had followed the course of conduct pursued by the Land League, and pursue a different course? It will be my duty as briefly as I possibly can, to lay before your Lordships, evidence of exactly the same connexion with speeches and outrages after the year 1885. That date may not be an inconvenient date to adopt. I must in the discharge of my duty lay this before your Lordships with some amount of detail, because other speakers are introduced, and other names of persons will come before your Lordships as making speeches, and it is essential that I should demonstrate, or that I should show to your Lordships, that I am going to tender evidence, which will, I trust, establish clearly before you that as before May 1883 or May 1882, afterwards the National League was pursuing in Ireland the same course of conduct as had been pursued by its predecessor, the Land League, in the previous years. I am very anxious to get through this part of the case as soon as I can, and do as much as I can to-day, though I am afraid I shall not quite complete it in the time left at my disposal before your Lordships adjourn.

The first set of speeches to which I will call your Lordships' attention are the speeches in connexion with the county of Cork, from the reading of which I broke off at the suggestion of my learned friend, and entirely with my own consent, and, I think I may say, with your Lordships' approval, in order to



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keep distinct the periods with which we were dealing, and I resume the story of the way in which the organisation was worked in the county of Cork by a reference to some speeches in the year 1885. The first speech which I will read was at a Land League meeting at Cullen on the 7th June 1885, the speaker at that was Mr. M'Carthy.

*The President.*

A Land League meeting?

*The Attorney-General.*

Your Lordship is right. It is the National League, but one slips rather into the same expression. Of course I mean the National League meeting, because the Land League was supposed to have come to an end about the year 1882, and the National League was started, if I remember right, in the autumn of that year. At that meeting the speaker was Mr. M'Carthy, an ex-suspect. He was one of the gentlemen, I think, who was in Kilmainham with Mr. Parnell. I am not quite sure he was at that time a suspect, but I think it was so. He made a speech strongly condemnatory of land grabbing. He forcibly denounced land grabbers whom he called upon the people to deal with as Irishmen should deal with their enemies.

“ There is one way you can get rid of this scourge, boycott him, isolate him as accursed by God.”

I do not think this comes from an actual report, but I think it will be proved by the witnesses that the speaker directed his observations against one Cornelius O'Connor, who had taken an evicted farm at Ardnageehy, and it was well understood, the place he was speaking about, and the person to whom he referred. On the 14th of June the same year the speaker was Mr. J. Lyons, secretary of the Cork National League, and he said the meeting was called to protest against a most unjust eviction, and advised the people to boycott the emergency man or land-grabber. “ They need not give him a drink of water, though it would save him from the next world.” I shall be able to show my learned friend not only these reports, but I shall be able to tell him the newspapers in which the reports occurred, in which he can verify the statements if they are not true. That was at Hunting Hill, county Cork, on the 14th of June 1885. On the 29th of June 1885, Mr. Cronin, the same gentleman who spoke at the previous meeting, spoke at Knocknagree, Mr. Cronin, of Mill Street. He—

“ Expressed surprise that land-grabbing should be allowed to exist in the district, having regard to the perfection of the organisation of the people therein. The man who takes up the farm of another is undermining the groundwork of the agitation. He is doing no good to his family, because the very children will not only curse him for his action, but will not care to hear the name of their father mentioned.”

At the same place, at the same meeting, Mr. Healy spoke, not Mr. Timothy Healy, but Mr. Healy of Boherbue, neither of the Members. He said—

“ Grabbing was growing apace, sustained and fed as it was with the unaccountable immunity with which its disciples had been allowed to pursue their villany.”

If there was any doubt whatever of what was intended by the “ immunity with which its disciples had been allowed to pursue their villany,” I think what was said previously as to the people who were so-called grabbers of land, would plainly indicate or guide the people to which that speech was



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made as to the course of conduct they were expected to pursue. Mr. McCarthy said—

“No word in the English language was sufficient to explain  
“ their horror and loathing for the land-grabber, that wretch whom  
“ the sooner the Irish people get from the face of the country the  
“ better.”

Mr. Wright, of Philadelphia, spoke. He said—

“Earl Spencer is gone, but he has got away too easy. Dyna-  
“ mite to us Americans means the result of wretchedness against  
“ oppression.”

Your Lordship will find not a few cases in which Americans had been attending these meetings, and had spoken. On the 12th July, at Innishannon, also in county Cork, Mr. J. Deasy spoke. Your Lordships will remember Mr. J. Deasy is an M.P., and was, if I recollect right, the gentleman who attended subsequently at the Chicago Convention in 1876, one of the three representatives with Mr. O'Connor and Mr. Redmond. Mr. Deasy said—

“They were assembled under a Conservative Government  
“ without having their right of meeting interfered with. The  
“ settlement of the land question was merely a means to an end.  
“ Come to your meetings, pass your resolutions, adhere strictly to  
“ these resolutions, have no dallying with the land-grabber, hold no  
“ communication with him.”

At the same meeting Mr. Kellher spoke in the presence of Mr. Deasy, the M.P., and Mr. Hooper, also an M.P.

“He alluded to the case of a man who he said had been bribing  
“ the agent to evict a tenant from his holding, and warned him that  
“ if he continued his nefarious designs he would not only bring  
“ down upon himself the vengeance of God, but also the vengeance  
“ of man, which was worse than the vengeance of God.”

That, of course, is a matter of opinion, but in all probability it might have more effect on these poor unfortunate individuals. On the 23rd of August 1885, a gentleman, many of whose speeches have been read before your Lordships, spoke. Dr. Tanner, your Lordships may be aware he is one of the persons named in the Particulars. Dr. Tanner—

“Called upon the people present ‘For God’s sake to boycott  
“ ‘every man, woman, and child who would not be true and join  
“ ‘the National cause.’ He told the people to be careful not to  
“ purchase an article from anyone but a Nationalist, and observed  
“ that if this would not take effect, ‘the steel would be got.’”

At Macroom, on the 6th of September, Mr. J. O'Connor spoke: “They had  
“ driven the Land League like Samson of old.” I am reading the language. He spoke of it as the Land League, and your Lordships will find that the National League is frequently spoken of as the Land League.

“They had driven the Land League, like Samson of old,  
“ between the pillars of landlord oppression and English injustice,  
“ and had given the structure such a mighty shake that it came  
“ tumbling to its base. The Land League was crushed, no doubt,  
“ but they were building a new house out of the old material,”



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[Continued.]

Not at all an inapt description of the National League, which arose from the ashes of the Land League.

“ While we exercise all the power that lies within us in chastising the guilty we must take care we do not also chastise the innocent. The speaker then referred to an interference on the part of the Cork branch of the League, with a decision by another branch, and laid down what he called a ‘little Land League Law,’ to the effect that the latter branch was more competent to give an opinion than the former branch, which did not know the circumstances of the case. Here the effigy of a land-grabber was carried through the people, and Mr. O’Connor observed he had no objection to a little amusement, ‘particularly when that amusement consisted in dealing properly with a grabber.’ ”

I should think, in connexion with the carrying of an effigy of a man through the meeting and “dealing properly with a grabber,” there would not be a much stronger or simpler method of appealing to the instincts of an Irish audience than that particular course which was pursued by Mr. John O’Connor at that meeting :—

“ Our policy in Parliament will be to do such things as will bring us every day nearer to the grand goal of our ambition, national independence. We will not rest satisfied with any half-hearted measures ; nothing short of the power to work out our own destiny, and to be on equal terms with every other nation of the earth.”

Your Lordships observe how Mr. John O’Connor well understood the proceedings, and taking his instructions from his chief, and I daresay, being one of the chiefs himself, he understood thoroughly how essential it was that national independence should be put forward as one of the main objects, that the interest of the hearers should be enlisted, otherwise it would be said he was not true to the compact made as far back as 1878 and 1879, and repeated in later years in the resolutions which were passed in the convention to which I have called attention. On the 20th September 1885, at Donoughmore, county Cork, there were present, Mr. William Redmond, M.P., and Mr. J. C. Flynn. Robert Walsh, of Cork, was the speaker :—

“ While Carty clings to that farm below, boycott him ; do not speak to him, find out where he gets his provisions from, do not deal with that shopkeeper ; establish a vigilance committee for the purpose, and make the place as hot as hell for him.”

Now just observe, my Lords, that in that instance it is not only a direction to deal with this mode of intimidation with a land-grabber, a person who was clinging to a farm, but it was a distinct invitation to bring the same sort of intimidation to bear upon any shopkeeper from whom he gets his articles, to establish a vigilance committee for the purpose of making the place “as hot as hell for him.”

*The President.*

I understand those words were uttered by Flynn ?

*The Attorney-General.*

Walsh, in the presence of Redmond and Stephen Flynn. I do not think J. C. Flynn was a Member of Parliament at that time. There is a Mr. Flynn in the House, but I am not quite sure whether that is the same gentleman.



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[Continued.]

Now, my Lords, at Blackstaff's Cross, county Cork, on the 4th of October 1885, Mr. Deasy, M.P., denounced Mr. Hamilton Brien, as "one of the worst type of Irish agents to be found in Ireland," and advised the boycotting of land-grabbers.

Witness.

Constable  
J. Doody,  
Reporter.

This will show your Lordships the kind of way, and the extent to which this organisation was being carried on in various parts of Cork at the same time. On the same day at Cooldorihy, county Cork, Mr. Kelleher, who I believe is the same gentleman who subsequently became Member of Parliament, one of the followers of Mr. Parnell, was the speaker in the presence of Mr. Flynn.

"He said that the struggle of Whiteboyism is the struggle of to-day. The Whiteboys, in order to protect their wives and families, had no doubt a desperate struggle with the landlords. I am sorry to say they failed, but please God we shall not fail. The National League has grappled landlordism by the throat; and if you, in this branch of the League, and the branches throughout the country, are faithful and true to the League, that hold will never be loosened until landlordism is completely strangled, and until the last vestige of the ruffianly institution is swept out of the country."

Witness.

Constable  
Agnew,  
Reporter.

My Lords, if there were half a dozen men, or any number of ignorant men there, and heard it said "sweep out the landlords," they would know their victims; and those men who from mere motives of greed, who desired to become possessed of the land would become members of the League. There were others who would not be willing to profit so much by any organisation would be able to stand out and resist what was right. I think, my Lords, the seat that Mr. J. C. Flynn occupied was North Cork, and, as I have said, one of the means which Mr. Parnell had of rewarding these gentlemen who speak of him at the National League, was by nominating them to the various places as Members of Parliament where they had been agitators. On the 18th October at Durrus, in the county Cork, Mr. Deasy again spoke, and they were told:—

"They would be placing themselves within the power of the law if they proposed any resolutions at their League meetings directing their friends to boycott any individual."

Witness.

"Cork Examiner."

Your Lordships will observe the insidious way in which Mr. Deasy has steered and kept clear of what he thought would put himself in the power of the law, and the suggestion what should be done.

"If they entered into any kind of a conspiracy for the purpose of making life unbearable to those wretches, they would run the risk of having a conviction against them. They know the land-grabbers, and nobody need tell them how to deal with them. There need be no discussions at their meetings on the subject at all."

"If they pursued the constitutional course they had been pursuing for the last five years, they would soon see the day when the Irish people would bid defiance to the British Government, and would have supreme control over their own destinies."

And there you have again the particular idea of the same constitutional course being pursued as has been pursued for the last five years. The constitutional course of association to a very great extent of murder, outrage, injuries to cattle, intimidation of the worst kind, which was supposed by these people to be a course which they were to adopt. This is referred to by the



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[Continued.]

speaker as knowing the land-grabbers, and no body need tell them how to deal with them. Then the Rev. Father O'Riordan said:

[Document put in and read as follows]:—

Speaker: Rev. Father O'RIORDAN, C. C.

“Are Irishmen, with the brains they have, to be the only people to remain degraded and depressed? You shall not, with the political education you have, with the brains you have, and the hearts you have, and the manly figure you have, and the strong arms— which you will keep quiet till your commanders order you—with all these qualities of mind and body you shall not remain any longer the most degraded people on the face of the earth.”

Sergeant  
Conderan,  
Reporter.

On the 8th November 1885, at Coachford, in the county of Cork, Dr. Tanner spoke. Dr. Tanner is a gentleman who is very free in his speeches, and has a great command of metaphor and epithet.

[The document was put in, and read as follows:]

### COUNTY CORK.

COACHFORD.

8.11.85.

Speaker: Dr. TANNER.

Spoke of the land-grabber as a rapacious beast, too low, too filthy to take cognizance of, too low to denounce. He is like the lepper in the East, or like that other gentleman, and like such a noisome creature we should treat him in the only way in which he ought or can be treated, we should leave him severely alone.

Witness.

Sergeant  
Conderan,  
Reporter.

Your Lordship will remember “severely alone” was the text of Mr. Parnell at Ennis, in 1880, some five years before.

“The Irish people would march on until the cord had been snapped which ties them to slavery, and until Ireland will again assert herself an independent, free, and glorious nation.”

Now, on the 15th November 1885, Mr. Lane, a Member of Parliament, spoke at Middleton, County Cork.

[The document was put in, and read as follows:]

### COUNTY CORK.

MIDDLETON.

15.11.85.

Speaker: Mr. J. LANE.

Congratulated the people upon the disappearance from their midst of the cursed flag that they had been accustomed to see upon every public platform, and he hoped that they would never see it again. (Cheers, and groans for the “Union Jack.”) In its place were the banners representing Ireland and the greater Ireland across

Witness.

“Cork Daily  
Herald.”



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[Continued.]

the sea. Boycotting was a thoroughly legal weapon, and powerful and desperate though it was, they were entitled to use it. As hanging is a protection to society against the taking of human life, so boycotting was a protection to the tenant farmers. It was the only weapon they had against the brute force of British laws. Let no tenant go behind the backs of his fellow tenants on any estate, and pay his rent after it had been decided to act in concert.

Your Lordships will find one reference in this letter as to this acting in concert, and to the Plan of Campaign. Probably I may assume that your Lordships are aware that the Plan of Campaign was a revival of an old system which was published in 1848 by Richard Lawler, and reproduced by Mr. O'Brien, that tenants should combine together, even although some should be partly willing and able to pay, and others might not be willing and able to pay, but still that there should be a combination of those who could pay their rent, banking the money for the good of all, not one single sixpence to go to the landlord. That is to say, it was a combination for those who were willing to fulfil their previous contracts, and to carry out their previous obligations—not to fulfil their contract and not to carry out their obligation though they might be willing to do it, and with reference to that he said:—

“Let no tenant go behind the backs of his fellow tenants on any estate and pay his rent after it had been decided to act in concert.”

My Lords, on the 15th December 1885, Dr. Tanner spoke at Mill Street, County Cork, and told the people to hold up their hands and not to take an evicted farm. I am particularly anxious to read this, and therefore I will give Sir Charles Russell the corrected one:—

“Referring to a Mr. Hegarty, he described him as a vile creeping reptile living in their midst who used his landlord’s influence in maligning the people amongst whom he lived, who was endeavouring to climb to the magistracy, but who would yet be relegated to the lowest depths of a felon’s cell.”

Witness.  
—  
Head  
Constable  
John O'Brien,  
Reporter.

Mr. Hegarty will be called before you. He is a perfectly respectable man who lives in peace and quietness with no unpopularity at all, or ill-feeling, but he had, as I mentioned two days ago, the pluck and determination to decline to make one of the National League. I believe it will be found they have made several attacks upon him, even to the extent of firing at him, and he is one of those men who will be able to describe to your Lordships what the position of a man is in Ireland if he has the courage to resist the Land League or the National League, and if he is in the possession of land, attacks are made upon him by those who belong to this organisation.

“Dr. Tanner then escorted by the assembled crowd proceeded to the railway station to meet the 7 p.m. train, which owing to an accident did not arrive until 8 o’clock. Whilst waiting he again addressed the crowd, and again referring to Mr. Hegarty described him as a low creeping reptile who did not deserve the name of a human being, whose proper definition would be a thing, but since he should call him something he would call him the lowest of created beings, a creeping louse. He further said: ‘As long as Mr. Jeremiah Hegarty was in their midst there never would be peace in Millstreet.’”

Witness.  
—  
Head Constable  
John O'Brien,  
Reporter.

Certainly it does seem a most extraordinary thing that this kind of speech should be made for the purpose of forwarding the *bonâ fide* efforts of political agitation or organisation, or any organisation which is supposed to pursue constitutional means. [A copy was handed to Sir Charles Russell.] There



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[Continued.]

happens to be some observations in that, but if you compare it with the speech I have read, you will see it is the same, but it happens to be made from two different reports.

Now on the 22nd August 1886, Mr. Gilhooly, a Member of Parliament, spoke at Kealkil County Court.

[The document was put in and read as follows]:—

## KEALKIL, COUNTY CORK.

22.8.86.

Speaker: J. GILHOOLY, M.P.

“ Become members of the National League, which is the only  
 “ power to protect you from the landlords, and above  
 “ all things be determined that you will not surrender  
 “ the land you have tilled and slaved on to a horde  
 “ of miserable vampires who have no right to that  
 “ land. During the last two years two millions of  
 “ our people have been murdered by landlordism aided by English  
 “ law in Ireland, and it is your duty to combine and determine that  
 “ you never again will be driven from the houses which are your  
 “ right. We have in the neighbourhood of Bantry some of the  
 “ most miserable vampires that ever cursed the face of the earth.  
 “ We have that cursed militiaman Lord Bantry, who has returned  
 “ to occupy the home where his father kept the paternal seat at  
 “ Blackrock House. Denounced Mr. Bird, J.P., and land agent,  
 “ for having served writs of ejection on tenants; also Mr. Barrett,  
 “ J.P. Denounced land-grabbers, and observed that the grabbers  
 “ in this locality will find that it will be impossible for them to keep  
 “ a hold on their farms. The people should boycott them as they  
 “ would a venomous serpent, and also any shopkeepers who sup-  
 “ ported them. It was not by a wishy-washy sort of organisation,  
 “ or by going and joining the National League they could do any-  
 “ thing, but by acting as men, by being fearless of the consequences.  
 “ If they had to go to gaol, go to gaol; let no punishment that can  
 “ be inflicted prevent you from preserving your families from land-  
 “ lordism. Notwithstanding every means which could be employed  
 “ by the English Government to stamp out the spirit of the Irish  
 “ people, the spirit to-day lives, thank God, and the Irish people  
 “ are more hopeful and nearer to win back the God-given right of  
 “ self-government than at any period of Irish history, since the  
 “ English invader laid his unholy foot on the soil of our country.”

Witness.

Constable  
J. Agnew,  
Reporter.

So that it is perfectly clear from the reports that the two objects were necessary to independence, putting down the landlord, and when it is necessary that some speech should be made which would carry out Mr. Parnell's platform if they could do so, for the purpose of securing the support of the American section—the extreme section, to which I have made such frequent reference. The actual announcement of the Plan of Campaign was in the month of October 1886, by Mr. William O'Brien and Mr. Dillon.

Now, on the 7th November Mr. Lane spoke at Youghall, in the county of Cork. Mr. Flynn also spoke, Mr. Hayes, the Irish-American priest, and a Mr. Hyde. Mr. Lane said:—

[The document was put in and read as follows:]

## YOUGHALL, CO. CORK.

7.11.86.

Speaker: W. J. LANE, M.P.

Said he did not think that the local branch of the League had shown that activity for the past six or eight months which it ought to have shown, and which if it had shown there would not be three or four vacant farms in the immediate neighbourhood of their town. If such farms were not boycotted within the next week he would say

Witness.

Sergeant  
Conderan,  
Reporter.



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[Continued.]

the branches were not doing their duty. (Cheers.) There was not a district in Ireland at the present moment where there are not a few boycotted and strictly boycotted farms. These farms serve to the surrounding landlords the very same purpose that an old hat on the top of a stick serves crows in the potato field. He counselled the tenants on the Ponsonby estate to demand what reduction they considered fair, and if that reduction was refused, he explained to them what they should do. In those good old days when the English Government used to go to war, before they were muzzled by Mr. Farnell and made the laughing stock of the world, it was a rule of the British army that every man who deserted his ranks in presence of the enemy, was shot on the spot. We are told to look up to the British Government as models of law and order, and if we might take a leaf out of their book, I would say this, that every tenant farmer who is found turning his back on his comrades deserves to be shot. But, my friends, understand me thoroughly. We have given up the use of firearms in our warfare; we have a more powerful weapon at present, and one that is able to deal a deadlier blow than any firearm ever invented, and that is the weapon of boycotting.

I wonder whether it occurred to Mr. Lane to point out that in the end it meant killing men if they did not submit to the boycotting.

“ We have heard it said by landlords and landgrabbers  
 “ that they would a great deal sooner be shot than boycotted; and  
 “ therefore I say when you have deserters in the National ranks  
 “ instead of shooting them, as the English Government deals  
 “ with its deserters, we will boycott them. Mind that! Let  
 “ that be fully understood now, because these people have been  
 “ treated with too much consideration in the past. It is not the  
 “ landlords that have the fixing of rents at present; it is the tenants.  
 “ If the tenants are true to their colours, they can fix the rents, and  
 “ not the landlords.”

which of course had direct reference to the Plan of Campaign.

Then Father Hayes the Irish-American priest:

“ Thanked them for the enthusiastic reception they have given  
 “ him, he knew it was intended for the great Republic of America.  
 “ (Cheers). Whenever he spoke in America, he never had a  
 “ Government reporter on the platform to bulldog him. They  
 “ were not accustomed there to those objects of servitude, of  
 “ slavery, and of foreign domination. But whoever else he may  
 “ bulldog, this child of the American Republic he will not bulldog.  
 “ Between the English Government and the Irish landlords, as  
 “ between two millstones, the very life has been crushed out of  
 “ Ireland. In the name of the God of freedom, of truth, and of  
 “ justice, what is the remedy? Is it by physical force, or is it by  
 “ moral force? I know there are some people on earth, and a  
 “ great many perhaps here who think that no good can be done  
 “ without dynamite, powder, and blood, and that no triumph can  
 “ be achieved without these evils that shake the pillars of the globe,  
 “ and make thrones, and principalities, and republics totter and  
 “ rush down in chaos before the stormy wrath and execrations  
 “ of revolutionary men. I hold that physical force should never  
 “ be employed, except where you can employ it successfully,  
 “ and then only as supplementary to moral force, and when  
 “ moral force has been despised. Evidently we have lost our  
 “ time in petitioning England. Will we now petition the land-  
 “ lords that they may have mercy on us and spare us?—a plutocracy  
 “ of thieves held together by the cohesive power of public plunder,  
 “ wringing their wealth from the sweat of the Irish poor. What



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“ then is the remedy? Let every man stand to his gun; no  
 “ neutrals, as my friend Dr. Ronayne said; every man and woman  
 “ can do something. Anyone that is not with us is against us.  
 “ Some of the ancient Republics that are no more, condemned to  
 “ death any citizen that remained neutral when his country  
 “ entered on a troubled time. Ireland is in trouble and affliction,  
 “ and if that law were applied to Youghal, I am sorry to say it,  
 “ but I am one of those who speak the truth and shame the devil—  
 “ if that law were applied to Youghal, one-half of us should be  
 “ doomed to death long ago. The first remedy is perfect unity.  
 “ Unity is strength, and in strength is victory. Anyone that is not  
 “ with you heart and soul go mark him well, whether he be church-  
 “ warden or laymen, Catholic or Protestant. You must make no  
 “ distinction on the score of nationality. If you had a Catholic that  
 “ was a renegade on your National League, and if you had a  
 “ Protestant that was true to his country you should patronise the  
 “ Protestant and condemn the Catholic. Put him where the  
 “ Redeemer of the World put Iscariot, and you do not need to be  
 “ any more just than your Redeemer. I tell you that if in spite of  
 “ moral means that still England remains the England of all history,  
 “ brutal in the superlative degree—I tell you we have something  
 “ in America that will give her a rude awakening, and she got a  
 “ taste of it in Parliament in the dynamite explosions. If nothing  
 “ but explosions will make an impression on England—I do not  
 “ advise you anything, but we in America would pelt the power  
 “ that would not do us justice with the lightnings of heaven and  
 “ the fires of hell.”

Then Mr. Hyde, of Killeagh, said—

“ That a great deal had been said about tyrannical landlords  
 “ but they had in their midst a land-grabber of the deepest dye, and  
 “ that is Bill Daly.”

Now the other speech is on the 23rd January 1887, Dr. Tanner, who spoke  
 at Molly McCarthy's Bridge.

[The document was put in and read as follows.]

Co. COURT, MOLLY MCCARTHY'S BRIDGE.

23.1.87.

Speaker: DR. TANNER, M.P.

Said that the Plan of Campaign had been proclaimed but then  
 they (the Government) proclaim a great many things. Witness.  
 In point of fact if I am tired of anything, I am rather —  
 tired of tearing up the Queen's Proclamations. (Cheers.) Sergeant  
 He commended boycotting as a most powerful service- Pat. McMahon,  
 able weapon, and called upon the people to boycott any Reporter.  
 man who is an enemy of the country. He was not, he said, going  
 to specify any particular cases, they knew the difference between  
 right and wrong, and he called upon them in all wrong cases, or  
 cases of grabbing, or emergency men, or ruffians and scoundrels of  
 that type, distinctly to boycott all such. We all know the way they  
 treat renegades and ruffians in Mill Street. (A voice “Hegarty.”)  
 Some one mentioned the name Hegarty. (Groans.) I was speaking  
 about that creature this morning, and as I told the people in  
 Ballyvourney this morning, so I tell you now, that the creature is  
 going down ill too quick. I am not going to deal with men of that  
 class, stamp, or abstraction. Their foul deeds are on them, the  
 brand of Cain, and their fellow men are able to discriminate between  
 them and honest and just men. I draw a difference between a viper



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[Continued.]

and a boa constrictor. One is a miserable mean, grovelling, crawling reptile; the other is a reptile of a more noble stamp. So my friends, you are able to draw the difference, and I will leave the matter in your hands. I am not going to deal with these men, because they are beneath contempt—Hegarty and that lot.

I cannot help thinking this must have been in 1886, instead of 1887, because I think it was in 1886 the meeting took place at Ballyvourney, however, it does not much matter. Therefore your Lordships see the speeches were made to enable the people to know what they had to do.

My Lords, the last speech I propose to read with reference to the county Cork, was a speech which was delivered also by Dr. Tanner on the 25th January 1887, at Coolderrihy, county Cork.

[The document was put in and read as follows] :—

“ Said that he, as their representative, was the general in command of the Irish National League of Mid-Cork; that Kilmichael should send forward its company to march shoulder to shoulder with the regiment to meet the enemy in the gap. If a soldier enlisted in the army was required by his colonel to march with his comrades to meet the enemy at the gap, fell out of the ranks, well, he would be shot. The men who will not obey me as their colonel, and join the National League, well, I would not say they should be shot, but they should be roughly treated. I won’t be accountable for their lives, and may be the daylight would be seen through them in bullet holes.”

I have read that series of speeches from the year 1885, down to the year 1887, and I should submit to your Lordships there is absolutely no difference between the conduct pursued by the National League from that pursued by the Land League at the earlier period.

Adjourned to to-morrow at 10.30,



“Uncorrected Proof.”

SPECIAL COMMISSION ACT, 1888.

ROYAL COURTS OF JUSTICE,  
PROBATE COURT, No. 1,  
Friday, 26th October 1888.

*The Attorney-General*: My Lords, may I venture to refer again to a matter which your Lordships were good enough to say you would consider upon application, and that was the number of days of sitting a week. It is necessary for the course of our case to bring witnesses from various localities, and it is almost impossible, or quite impossible, to get the witnesses from all the localities at the same time, and I think it would be a great saving of time of the Commission if we can marshall the witnesses, so as to avoid a repetition, and take all the witnesses from one district on that same day. I think, with that view, it would be a great saving of time if your Lordships would only sit on four days a week; say, Monday, Tuesday, Thursday, and Friday; because then we should be certain to have the intervening days to prepare, or whatever your Lordships wish as to that we should fall in with.

*The President*: No, we have considered it. We think that whatever days are fixed on, as to which we are anxious to meet the convenience of all parties, that they should be continuous.

*The Attorney-General*: Very well, my Lords; practically speaking, whether it is Tuesday, Wednesday, Thursday, and Friday, or Monday, Tuesday, Wednesday, and Thursday, we shall fall in with any view your Lordships express.

*The President*: Have you any wish, Sir Charles?

*Sir C. Russell*: I should say Monday, Tuesday, Wednesday, and Thursday, my Lords, subject to my learned friend and your Lordships' convenience, or any other arrangement your Lordship might propose. I should prefer that, but whatever your Lordships think best we shall all fall in with gladly, whether it be Tuesday, Wednesday, Thursday, and Friday, or Monday, Tuesday, Wednesday, and Thursday.

*The President*: We are most disposed to leave Saturday and Monday free.

*Sir C. Russell*: Be it so, my Lord.

*The Attorney-General*: Yes, my Lord, probably it is best, as it would be very convenient for witnesses on a journey from Dublin.

*Sir C. Russell*: Be it so, my Lord. There is another thing, as my learned friend has made the application. I make the statement now, and that is, it would be a very great saving of time with reference to the necessity of recalling witness after witness if my learned friend could give us some indication in reasonable time beforehand of the order of witnesses he will call. As, for instance, if he would say he was going to take evidence of a particular class, or from a particular district, and give us notice a few days before.

*The Attorney-General*: As far as I possibly can, I will meet my learned friend's view in the matter. I cannot do it exhaustively because we cannot always get every person we want.

*The President*: You will do your best.

*The Attorney-General*: I will do my best.

*Sir C. Russell*: One other matter we should like as early as your Lordships convenience would enable you to do it, namely, the inspection of the books, and of the other documents which have been suggested, or alleged to be forged letters, or letters which have been in the possession of your Lordships. We would ask your Lordships to let us have inspection of them as far as you think right, that the leading Counsel in the case should see them.

*The Attorney-General*: There are some documents referred to in the affidavit of Mr. Lewis—I do not know whether your Lordships have yet seen it—but it is the affidavit made by Mr. Lewis.

*The President*: I do not remember; in what proceeding?



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[Continued.]

*The Attorney-General*: I would ask your Lordships kindly to look at those documents. They have been lodged, and if your Lordship would at the same time look at them for the purpose of seeing whether we may have inspection we should be obliged, for the affidavit states they are lodged for the purposes of the Commission only, and for nobody else.

*Sir C. Russell*: The state of the case is that the affidavit sets them out in the sense I described. They were not matters that Mr. Lewis thought he was bound to disclose at all. They are a batch of documents which came from America to a Member of Parliament, and a copy was submitted to Mr. Lewis, and they have a very important bearing upon the matter. I am not aware there is any objection, and if all those documents are to be shown, those should be seen also.

*The President*: We will look at the affidavit.

*Sir C. Russell*: When I said they were sent to a Member of Parliament I ought to have added an English Member of Parliament, not one of the Irish Members of Parliament.

*Mr. Davitt*: I still have to complain that I have not been served with any particulars by the Attorney General.

*The Attorney-General*: I told Mr. Davitt, yesterday, I would give them to him to-morrow, and I think I may say without doubt I shall be able to give them to him to-morrow. It will not put him into any fix, because he may take it he will be included in the particulars delivered. I daresay Mr. Lewis will let him have a copy of those; and as to the supplementary ones, I will see that they are framed to-day, and he shall have them to-night. Give Mr. Davitt a fresh copy. I will take care, my Lords, that the actual formal documents with reference to Mr. Davitt are handed in in the course of to-morrow.

My Lord, in referring now to the outrages which followed the Cork speeches, and with reference to the various counties with which I have dealt, and with reference to the outrages in the other counties—Kerry, Galway, Clare, and Mayo—which I selected for the purpose of illustrating to your Lordships the character of the combination, and the organisation, and also the character of its work, I desire to state to your Lordships what my conclusion is respecting those years. It is that the National League pursued identically the same method, pursued identically the same course of proceeding, and with the same objects, which had been pursued by the Land League. Your Lordships will find again organisers sent down to organise, or to revive the somewhat flagging interest of the organisations in the various counties; and your Lordships will find the same speakers going from place to place, in the same county, referring to a great extent to the same subject, giving the same advice, and inviting those whom they addressed to take part in the same conduct. You will find these speeches followed by outrages of the same description, scarcely less in number—I am glad to say in some places slightly less in number—due no doubt to the fact that there was an increased police force in the district in many of the parts in which the speeches were delivered.

My Lord, you will also find this, that the organisation, and the practices pursued by the branches of the organisation, had practically reduced the matter to a system; and that as soon as any person was found not to obey the order of the National League, he was either boycotted at once, or notice was given to him that he would be boycotted; and reference was made to what had happened to boycotted persons in other districts in previous times, with a result which your Lordship will understand is not at all improbable; that there was in a great many instances immediate obedience to the commands of the League, immediate obedience to the orders which the League Council gave, and which they intended should be enforced, first by boycotting, and then, if necessary, by outrage.

Your Lordships will also find that during this time—I speak particularly of the years 1885 and 1886—the League held courts, summoned people before their courts, fined them for not obeying the commands of the League, fined them for paying rent, fined them for being guilty of other conduct, and as you would expect, in numbers of instances, there was a complete submission, and the most abject terror among the persons who were summoned to those courts. In fact, it was scarcely possible for anybody who had not got very large means and the most courageous temperament to be able to resist the treatment to which he was subject, or would have been subjected for disobedience to the League's commands. Some very remarkable instances will be brought before your Lordship of a man being summoned, and resolutions being



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passed at many meetings, and that very night his being boycotted and moonlighted ; that is to say, his name having been mentioned at the meeting as being a person who had offended against the laws of the League, on the same night, or within a few hours—48 hours or two or three days—moonlight outrages commenced against him. Of course, my Lords, it may be said, that showed the existence of some entirely independent conspiracy, some entirely independent secret society, that was capable of the conduct to which I have been referring. It will be for your Lordships to judge from the coincidence of time and place and circumstances whether any such supposition is possible. I should also mention one further matter in connexion with the action of the Land League at this time, and that was the way in which many papers that are referred to in the particulars were worked. Your Lordships will find that in a good many of the counties the names of the persons were mentioned in the papers under the immediate control of many of the gentlemen whose names are included in the particulars, as, for instance, the "Kerry Sentinel." The "Kerry Sentinel," I believe, will be found to be a paper which was under the influence, if not owned by, one of the Mr. Harringtons, and reports of what was done in parts of Kerry where the Land League were holding their meetings were published in the "Kerry Sentinel," and used, undoubtedly, as a means of enforcing the power of the Land League, of compelling obedience to its decrees, and of deterring other persons from disobeying the rules the National League laid down, or from being willing to run the gauntlet of the National League. My Lords, the extent to which in many districts intimidation of the most extreme kind was carried can scarcely be exaggerated ; it can scarcely be stated in too strong terms. There was the most absolute system. As, for instance, if anybody might be owed two or three years' rent—I am not speaking of large landlords, but persons quite in a small way—if anybody who might be owed two or three years' rent offered to receive some portion of that rent, say a year or a year and a half—very often representing four or five years' rent—from tenants perfectly able to pay, and perfectly willing to pay, apart from the tyranny of the League ; if it was known that any such arrangement was to be made, the man's name was published, or his servants were threatened ; frequently the people who might be milking his cows, or looking after his horse, or looking after his farm, were one and all threatened, and they had no means, they had no power, they had no place to which they could have gone. And in numbers and numbers of instances the result was, that it was simply a question of ruin and whether they would be able to carry on their avocations or not with the persons who employed them. It was very often a question of their cattle being saved alive from the servants not being able to or willing to attend to their business. And in the case of dairy farms there were many instances where the orders of the League were not obeyed. The whole of the servants doing necessary work in connexion with the dairy would be threatened, and in many instances cattle died simply because the man was not able to get persons who dared to come and do the work, and so the lives of the cattle were sacrificed from the want of attention in the way the previous servants had attended to them. One other matter will be shown your Lordships during this time, and that is this : that a very large number of persons were, undoubtedly, willing to fulfil their obligations if let alone. And, from the evidence which will be laid before your Lordships, in a large number of instances the persons who did pay paid secretly, or even asked if they might be served with writs before they paid, or rather that pressure might be put upon them, that distress even might be brought upon them, before they paid, and asked even for such things as that eviction notices might be served upon them. What was the meaning of such conduct as that, except that there was hanging over them, terrorising them all this time, some system, some tyranny, of which they were, to a great extent, in abject fear ? My Lords, I do not suppose that ultimately it will be seriously denied that whether it was the Parnellite party or not, whoever was at the back of the local National League branches, knew that this would be the kind of process whereby the power should be obtained from the occupiers of the land, and whereby the persons who otherwise would have been willing to have remained in the same relation with their landlords as those which had previously existed were, practically speaking, coerced into resistance of all kinds of authority, and deterred from doing that which they would have done had they been left to go about their business in the ordinary way. There are other minor matters which your Lordships will see in the course of the inquiry, such as the interference with justice, the preventing of giving evidence, the intimidation of juries, and matters of that kind, as



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to which I shall be able to give you many instances in the course of the case, that I assume it necessary to bring to your attention, though I do not by any means say I propose to open before you anything more than a summary of the case, and only to mention those cases which appear to me to require that my learned friend's attention should be specially called. One of the somewhat small points of general character with reference to this period that were developed was the Plan of Campaign. I stated yesterday that the Plan of Campaign was nothing more nor less than the bringing again to life of a system which had been enunciated by a man named Richard Lawler as far back as 1848—Finton Lawler I am told was the name. I should here briefly tell your Lordships the details of the Plan of Campaign, because I do not assume—I have no right to assume, and I do not wish to assume—I must take anything for granted in the course of this inquiry. The Plan of Campaign appears to have been this process. It has been declared illegal by every tribunal in Ireland which has expressed an opinion upon the matter, and I think that anybody with the most elementary knowledge of law could come but to that one conclusion. Assuming that there were a number of tenants on an estate, a great many who could pay and some who could not pay, the Plan of Campaign was an arrangement whereby they were all forced to agree that no more should be paid to the landlords than a certain amount, and if that amount was not received nobody should pay anything, but that the money which they were willing to pay should be handed over to a third person and used, not for the purpose of paying the rent, but for other persons in connexion with the supposed well-being of either the persons who so had declined to pay or of other persons who might be carrying on the land warfare. And it had this incident in connexion with it, to which I shall call your Lordship's attention. Practically speaking, it reduced the amount which each tenant should pay to the amount which the most impoverished or the most stubborn of them was willing to pay, inasmuch as it was a principle that no one should go behind the back of any person and pay. They were all brought down to the level of the person who was most impecunious or least willing to contribute towards the paying of his rent; and, my Lords, when that plan was started, you will have evidence before you over and over again of persons who were boycotted because they would not join the Plan of Campaign, of persons who were boycotted at those meetings because it was supposed they had paid their rent behind the back of the general combination or general organisation of those who were united in the Plan of Campaign at the particular place. And I shall show your Lordships that the leaders of these parties, by which I mean gentlemen such as Mr. Dillon, Mr. O'Brien, Mr. Deasey, and Mr. Sheehy did (he is a Member of Parliament and spells his name the same way as the Father Sheehy to whom I referred on previous occasions) in many speeches, to which speeches I have called attention, are persons charged in these proceedings, and they went about threatening those who would not join the Plan of Campaign, and who would not agree to that imposed arrangement, by which only this given amount should be paid, and that not to the landlord, but to the Trustees of the Plan of Campaign.

*Sir C. Russell:* I am very loth to interfere, if your Lordships desire that we shall go into this, but I do not find anything about this, to the best of my recollection, either in "Parnellism and Crime" or in the particulars.

*The Attorney-General:* Oh! yes.

*Sir C. Russell:* I am speaking to the best of my recollection, and certainly so far as I am aware there is nothing in the particulars in this case as to the Plan of Campaign. If my friends desire to amend the particulars, and your Lordships think it is within the scope of the inquiry, well and good.

*The Attorney-General:* Does my friend mean to suggest that the Plan of Campaign is not part of the common system?

*Sir C. Russell:* I am the more surprised that this should be gone into, as this matter was under discussion.

*The Attorney-General:* I have nothing in the world to do with any discussion. I do not know to what my learned friend refers, but if your Lordships will kindly look at the white paper print of the particulars, your Lordships will see how the matter is referred to.

"With a view to effect this, one of the immediate objects of the said conspiracy or organisation was to promote an agrarian agitation against the payment of agricultural rents, thereby securing the co-operation of the tenant farmers of



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“ Ireland, and at the same time the impoverishment and ultimate expulsion from the country of the Irish landlords, who were styled ‘the English Garrison.’ ”

Then the organisation was actively engaged in the following matters:—

“ (1.) The promotion of and inciting to the commission of crimes, outrages, boycotting, and intimidation.”

Then number 6:—

“ (6.) Advocating resistance to law and the constituted authorities, and impeding the detection and punishment of crime.

“ (7.) Making payments to or for persons who were guilty or supposed to be guilty of the commission of crimes, outrages, and acts of boycotting and intimidation for their defence, or to enable them to escape from justice, and for the maintenance of such persons and their families.

“ (8.) It is charged and alleged that the Members of Parliament mentioned in the schedule approved, and by their acts and conduct lead people to believe that they approved, of resistance to the law, and the commission of crimes, outrages, and acts of boycotting and intimidation, when committed in furtherance of the objects and resolutions of the said societies, and that persons who engaged in the commission of such crimes, outrages, and acts would receive the support and protection of the said societies and of their organisation and influence. The acts and conduct specially referred to are as follows:—

“ (9.) They attended meetings of the said societies,”—

that is the National League.

*Sir C. Russell*: That is to say, acts and conduct which led people to believe that they approved.

*The Attorney-General*: I beg pardon, that the acts and conduct of the Members of Parliament mentioned in the schedule led up to. My learned friend unintentionally fell into the same error before.

*Sir C. Russell*: I made no error at all, Mr. Attorney, and I said what I now say, the acts and conduct are acts and conduct which led people to believe that they approved.

*The Attorney-General*:

“ They attended meetings of the said societies and other meetings at various places, and made speeches, and caused and procured speeches to be made inciting to the commission of crimes, outrages, boycotting, and intimidation.”

I assert that in these speeches it will be found that they incite to boycott, and if necessary to outrage, people who would not join the Plan of Campaign. The 11th paragraph is—

“ With knowledge that crimes, outrages, and acts of boycotting and intimidation had followed the delivery of speeches at the meetings, they expressed no *bonâ fide* disapproval or public condemnation, but, on the contrary, continued to be leading and active members of the said societies, and to subscribe to their funds.”

I do not know that my learned friend can possibly suggest that that is not enough.

*The President*: It amounts to this, that according to the Attorney General—

*Sir C. Russell*: Before your Lordship says anything, may I point out that the particulars are only intended to be a specification of the charges covered by the allegations in “Parnellism and Crime,” and therefore, if my friend shows, which I say he has not shown, that these particulars refer to the Plan of Campaign, it is not enough. He must show that in “Parnellism and Crime” there was this allegation.

*The President*: According to the Attorney General’s contention, this Plan of Campaign was one of the means of intimidation, and therefore it would be included under that general head. It is asserted that in the particulars there is no mention of the Plan of Campaign specifically. I think Sir Charles Russell is right that you have to show that the Plan of Campaign is included in your charges and allegations, and if it is referred to specifically, of course we shall be glad to have our attention called to it.

*The Attorney-General*: All I can tell your Lordship is that I shall not have the slightest difficulty. I have sent for the actual pages in which the charges are referred to; I did not know that any point of this kind was to be raised, or I should have been



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prepared for it. I made distinct reference to the Plan of Campaign yesterday in the most distinct terms, but I will undertake to show your Lordships passage after passage in which the organisation of the Plan of Campaign is referred to in my speech.

*Sir C. Russell*: Subject to my protest, I am willing to go on. I made it with the assent of my learned friends.

*The Attorney-General*: I can show, when I come to the Blue Book, passages in which the Plan of Campaign formed a part, and my own recollection is, it is actually referred to in terms. I may be in error, but I have not the smallest doubt I can show that this is amply sufficient to justify the allegation that it is distinctly indicated.

I go now to the Cork outrages, which follow the speeches to which I referred, and I wish first to give your Lordships some particulars of the case of John Heggarty, who was referred to by name in several speeches that were made by Dr. Tanner. The fight between Mr. Heggarty and these parties began as far back as the year 1881. Mr. Heggarty had set the Land League at defiance. He had been a man exceedingly popular, and, although all kinds of attempts were made to intimidate him, and to intimidate those who served under him at the same time, though he had been put to very great expense and very considerable peril, he had succeeded, practically speaking, in beating the Land League, and a great many references in the earlier days—during the period to which I am not now referring, the years 1880, 1881, and 1882—a great many references were made in some of the earlier proceedings of the Land League to Mr. Heggarty. Your Lordships will find that as far back as the year 1881 sums of money were sent down from the Central Organisation from the Dublin Land League in order to pay the families of the people who had been imprisoned or punished for an attempted breach of the law towards Mr. Heggarty. There were proceedings taken because, as I have said, he was bold and defied them. He took proceedings against people who boycotted him and endeavoured to injure his position and his status and his trade, and having succeeded in proving offences against them, as much as 50*l.* was sent down by the Dublin branch of the Land League to keep the families of the men who were imprisoned for boycotting Mr. Heggarty. That was the case of persons who had been convicted, according to the law, of something which, according to the then law of the land, was found to be an offence. There were a great many complaints made from time to time, and the people did not fight Mr. Heggarty, or get into combat against Mr. Heggarty, quite as much as they ought to have done, and speeches were made in the year 1884 at Land League meetings which I have not read, some of which will be put in evidence before your Lordships, calling attention to the fact that somehow or other people did not seem to be so willing to take part in the plan or operations of the Land League in this particular place where Mr. Heggarty resided. On the 13th of December 1885 there were resolutions condemning Mr. Heggarty again by name. That was the local branch, I think, of the Land League at Ballynoone. That was condemning Mr. Heggarty's conduct, and at or about the same time, your Lordships will remember, within two days there were the speeches made by Dr. Tanner with reference to Mr. Heggarty's conduct. Mr. Heggarty was constantly followed about by members of the local Land League, and attempts were made to intimidate him, but, as I have said, he himself was plucky enough to set these men at defiance, and to endeavour, as far as he possibly could, to see that those under him did not suffer. He endeavoured to support and did support the families of those men who were intimidated and boycotted simply because they worked for him, and, speaking apart from this tyranny of the Land League first and then the National League, Mr. Heggarty seems, practically speaking, to have beaten the National League. In consequence of that they apparently determined that some stronger action should be taken, and your Lordships will find in the course of the evidence that upon several occasions personal violence was offered to persons simply because they worked for Mr. Heggarty. As far back as 1881 a man who worked for Mr. Heggarty had his ears slit, his house was entered, shots were fired at him and his ears slit simply because he was working for Mr. Heggarty, and threatening letters and papers were sent to persons simply because they dealt at Mr. Heggarty's. I suppose he had some sort of a shop or business. I think it will appear that they had endeavoured to shoot him before, but on the 6th of April 1885, that is to say, just about a few months before Dr. Tanner's speeches—I am not sure whether there was not an earlier speech—but, however, on the 6th of April 1885 he was driving home in a dogcart with his servant, Thomas Norton, and he was shot at by some men from



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behind a wall. On that occasion they did not hit him. On the 16th April 1887 he was driving from the railway station at Mill Street and two shots were fired at him. The first missed him; the second struck him on the right shoulder and right side of the head, and 16 grains of shot entered him and wounded him severely. That took place at a quarter to 9 a.m. on the 16th April. Some policemen happened to be not very far away at the time, and they endeavoured to track and trace these people who had shot at him; but, as far as I know on the evidence, and as far as my instructions go, they could not be found, and no person ever was detected or brought to justice for this outrage. It will be proved before your Lordships that there was an organised system in that neighbourhood of Mill Street that went on for something like four or five years, and as far as my duty is concerned I shall show before your Lordships by evidence that, prior to the Land League, this was a peaceable neighbourhood. Prior to the Land League Mr. Heggarty was a popular man, and for a period of four or five years leading up to his being wounded, the only offence of which he was guilty was that he would not truckle under to the doctrines of the Land League, and that then they boycotted his customers, intimidated his servants, and subsequently shot Mr. Heggarty himself. He was willing to contest a fight against this detestable tyranny. He will be a witness before your Lordships, and at any rate this will be a case in which my learned friend, Sir Charles Russell, will be able to indicate by his cross-examination whether there was anything else but this National League which caused the tyranny of which Mr. Heggarty was a victim. The actual outrage did not take place upon him till April 1885 and April 1887, but the history runs over all the years.

On the 8th August 1885 occurred an outrage of firing and wounding Timothy Hayes.

*Sir C. Russell:* Is this a new case?

*The Attorney General:* Yes, they are all new cases. The 8th August 1885, Timothy Hayes, at Trinneens, Clonakilty, county Cork. Timothy Hayes was a caretaker on a farm. He was quite a poor man, a man in no rich position or able to defend himself. He was a caretaker on a farm on some land which had been occupied by Mr. Jeremiah McCarthy. Hayes was shot in the legs, and I should like to mention a very remarkable fact in connexion with some of these outrages and several of the speeches. I do not think in this particular county, but in some of the counties, in several, or in more than one of the speeches, directions were given, or suggestions were made, I will put it in the mildest form, that it was not necessary to shoot men dead, but that they could be shot in the legs, and after this date a number of these poor people were shot in the legs. They not unfrequently died from the injuries they had received, even from shooting in the legs. But I think your Lordships will come to the conclusion, if the evidence which I shall lay before you is true, that there had been that degree of brutality in the way in which the boycotting was supported by subsequent outrages, that even the *minutiae* of the better way of carrying out the crime had been considered and instructions given to men, who otherwise might have gone in some blundering way and endeavoured to shoot the persons dead on the spot. Certainly it is that after these speeches there were more outrages and shooting in the legs than there had been before. That was on the 8th of August 1885. On the 29th of September 1885, John Callaghan's house was fired into at Glonnamuckla, near Kanturk. John Callaghan had been a farmer who had been willing to defend himself, but on the night of the 27th of September a party came to his house, and endeavoured to get into his house. It was a party who apparently had gone round threatening people not to pay rent. I think that will be proved before your Lordship. Callaghan would not let them in, whereupon they fired gun-shots through his window; they did not hit him, but ultimately they threatened him that if he did not give up his arms with which he was defending himself that they would do worse for him; and as a matter of fact he did give them one of the guns with which he had to defend himself on that occasion, and they left without doing him any further injury.

On the 22nd December in the same year occurred an outrage on Richard Williams, of Ballinbeg, near Whitegate, also in the county of Cork. He had taken possession of an evicted farm. He was the landgrabber, he was the man who was the loathsome creature, the leper, the person who had by that character been so frequently denounced. He was in bed in his house, and on the 22nd December a person knocked at his door and asked for a light. He opened the door to see who it was, whereupon he was shot



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in the leg by some person outside the door, and was seriously ill and wounded from the shot. He was boycotted from that time for months afterwards, and, whether it was necessary or not, he was under police protection. But he had the greatest difficulty in getting any food or anything of that kind, he being strictly boycotted for a considerable time after that, showing that these men were not satisfied with the act of wounding him, but that they were determined as far as they could that this man should not continue to get his living by occupying this piece of land.

On the 13th January 1886 occurred the murder of John Regan. It certainly was very remarkable to see the way in which, as I have a good many times said to your Lordships, they found it necessary to go at poor people who, previous to this agitation, this organisation, this conspiracy, had not been subject to these outrages. Regan had been a sub-tenant of a man named Sullivan, who was tenant to a Mr. Beamish. Regan had been in occupation of the land. There was some quarrel between Sullivan and Beamish, and Sullivan was evicted, but Regan remained on as being the sub-tenant. They proceeded first to attack Mr. Beamish. It may possibly be that those who pretend to justify these proceedings will say that they did it because there had been some dispute between Sullivan and Beamish; but that could not affect this poor unfortunate sub-tenant. They proceeded first to destroy Beamish's crops, which they burnt, then to slaughter his cattle. In the month of November 1882 they burnt three of his heifers. In August 1883—

*Sir C. Russell:* You said 1886.

*The Attorney-General:* As regards the outrage on Regan, that is 1886; but I am stating to my Lords the previous history that led up to the outrage on Regan. I stated that they had begun their operations upon Beamish, and then pursued their operations on Regan, who was simply a sub-tenant. In August 1883 they burnt down all Beamish's fruit trees. In December 1885 they killed three of his heifers; and in the same month broke down the whole of his fences. I ask your Lordships to understand that all this unfortunate man Regan did was to remonstrate with the party when they came as to breaking down Beamish's fences; and this poor unfortunate man, on the 25th April, standing there on the lands which he had occupied for years, or a part of which he had occupied for years, as sub-tenant of Beamish, for there was more than one sub-tenant, remonstrated with the men. They threw stones at him at the time and fired shots at him, but did not hit him. Four days after that, on the 29th December, at a quarter to six, he was fired at in his own house, and wounded, and he died on the 13th January from the effects of that shot.

I think it will be proved before your Lordships that those who were engaged in these outrages were undoubtedly members of the branch of the National League in this neighbourhood; but be it as it may, for the purpose which I am arguing before you Lordships, I care not whether the particular persons can be identified. Somehow or other there was such a system of tyranny that, as they could not successfully terrorise over or tyrannise the master, they actually go down to the poor unfortunate man who simply, as one of themselves, had said, "You ought to be ashamed of yourselves," or something of that kind, and fired a shot, and so wounded him that he died shortly afterwards. I submit respectfully to your Lordships that this is one of the many cases which may be called typical cases, in which the inability to conquer and destroy the power of the superior person, meaning a person in a little better position, the National League, as the Land League before, said, "If we cannot intimidate, boycott, and ruin the landlord, we will intimidate, boycott, and ruin, and, if necessary, kill the unfortunate persons by whom the landlord is able to make the land, to a certain extent, productive." In other words, they were showing that the landlord garrison would ultimately be rooted out of the land.

On the 15th February 1886, in the same year, occurred the outrage on Dennis Brennan. Dennis Brennan was a sheriff's officer. He was fired at with revolvers in the course, not, I believe, of the execution of his duty, but simply in the course of his return to his house. I am not quite sure whether on that occasion Brennan was injured; I think he was not. At any rate, he was shot at by more than one revolver shot, and possibly there may be some evidence to put before your Lordships as to the revolvers which were being used in very many of these outrages. At this time in this neighbourhood of the county of Cork there occurred a large number of outrages in connexion with the place, which ultimately became notorious—a place called Mitchelstown. It is unnecessary for me to do more at the present time than to say that



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evidence will be laid before your Lordships as to these outrages which occurred in December 1886, before the period of the riot which ultimately gave rise to so very much discussion.

I shall also show before your Lordships numberless instances of boycotting and intimidation in the neighbourhood of Mitchelstown, and endeavours made to prevent people from pursuing their ordinary avocations, and in many cases threatening them with death if they did not obey the orders of the League. On the 29th November 1886 happened an occurrence of which very full details must be given before your Lordships, and that was the part that some of these leading men took in order to try and prevent the proper trial of persons, or the proper execution of the process of the law. There was to be at Cork the trial of some men for firing into houses, for moonlighting, and for the possession of dynamite. There were 30 prisoners. Now, will your Lordships just consider for a few moments what I have been putting before you on previous days. I have asserted that we shall be able to satisfy you that firing into houses, moonlighting, and the possession of dynamite were matters which those who had been supporters of the Land League did not on many occasions disapprove of, and I further suggested to your Lordships, on the instructions before me, that it will turn out that the moonlighters were invariably, or almost invariably, connected with the local Land League. There were men to be tried for moonlighting, for firing into houses, and one man for the possession of dynamite. Who came down there? Mr. John O'Connor, M.P., one of the persons who is amongst those who are charged. That was on the 29th November, and the assizes just coming on. It being known that in Cork there had been a good many jurors who had done their duty according to their oaths, and there had been some instances, not very many, but still there had been instances, of some convictions in Cork. Mr. John O'Connor evidently thought it was necessary that the jurors of the town should know what view would be taken of their conduct if they dared to convict, and accordingly the names of the persons who had previously served on juries being known, I am not sure whether the names of those who had been summoned to serve on the jury on this occasion were known, I am not sure that will not be proved, but the names of those who had served on juries being known, Mr. John O'Connor, marching with the prisoners from the railway to the town, repeatedly stopped opposite the houses of some of those jurors and threatened them, and repeatedly shouted out, "Down with the Cork jurors, down with English law!" and endeavoured to get up that which was a distinct attempt to intimidate the jurors from doing their work. Amongst other things he called out, "They hung Poff and Barrett here, but they will not hang ye this time if we can help it." This was at the time of the prisoners being taken from the railway station to the place where subsequently they were going to be tried. Poff and Barrett were two men who murdered a man named Brennan, and were hanged some time before; men whose names have been referred to and mentioned in many of the speeches I have been reading to your Lordships. He frequently called out, "Down with the Cork jurors!" "Groans for Cork jurors!" "Cheers for the Kerry prisoners!" "Cheers for Poff and Barrett!" On the 1st of December 1886, that is two days afterwards, John O'Connor and Dr. Tanner were there and escorted Timothy Hurley from the railway to the courthouse. He had been out on bail. He was charged with the possession of dynamite, and their having been prevented from holding a meeting by the authorities—and if I may respectfully submit to your Lordships most properly prevented—in this town, and at the very time that these matters were going on, John O'Connor shouted out, "We were prevented the other evening by a paltry little fellow named Shannon from holding our meeting. We hold it now in spite of them. Justice is blocked within the four miles of this building. We must have justice. We demand that Hurley will have a fair trial. We will see he gets it or know for what." Two of the jurors who served on that occasion were Cronin and Macmahon, and immediately after this trial notices were extensively circulated in the County of Kerry to boycott Cronin and Macmahon, two Cork jurors who had served on that jury, or were persons who had been summoned on that jury. Of course the effect was, pecuniary injury to those two jurors. On that particular matter at the present moment it is not necessary that I should dwell. It is exceedingly important that your Lordships should appreciate the case that will be proved before you as to the determined attempt to intimidate those jurors and impede the course of justice by inciting the people against the jurors who might do their duty by reference to men who had previously suffered the punishment of the law



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on conviction. Your Lordships will understand the effect produced by these attempts to intimidate the two particular jurors here named. In the same way your Lordships will find there was an organised attempt in the year 1886 to intimidate the tenants on the Ponsonby estate, and your Lordships will have evidence of extremely violent speeches from Mr. Lane, Member of Parliament. I think, if I remember right, that I did not read those to your Lordships yesterday. I will not stop to read any speeches to your Lordships now. I think the actual date of the speech was the 7th of November 1886. The speech was followed by a series of outrages of greater or less violence, and in many cases the outrages were committed against persons who would not join the Plan of Campaign—who would not agree to become parties to that which was then supported by Mr. Lane with reference to the Ponsonby estate. I mention that to your Lordships, and your Lordships will find that that speech constantly refers to landgrabbers being boycotted, to their not being allowed to possess a farm within a mile of the town, and other references to persons who were sufficiently cowardly to go and pay their rent behind the backs of a number of men who were not able to pay. On the 14th of February 1887 occurred an outrage on James O'Keefe and Cornelius Cree. Your Lordship may remember that on the 25th January 1887 there had been made a most violent speech by Dr. Tanner against persons who would not join the National League, I read the speech yesterday. O'Keefe and Cree declined to join the National League. They were then simply taking care of land for some landlord in the district (I forget exactly the name), and on the 14th, that is to say, practically speaking, within 10 or 15 days after this meeting had taken place, these men still declining to have anything to do with the National League, they visited the houses where the three men were. I did not mention the third man's name Murphy; I am not sure that Murphy's name had been publicly mentioned before. O'Keefe's and Cree's names had been mentioned. They were attacked. Their arms were taken away. They were robbed of their money, and I shall be able, I believe, to call Cree before you, and your Lordship will be able to learn from him the circumstances under which he had declined to join the National League, and the reasons why he had so declined. The mischief is done now. I ought, perhaps, not to have gone so far as mentioning the name before. Still he is one of the witnesses who will, I believe, be called before your Lordship.

On the 6th of February 1887 occurred the firing into the dwelling-house of Philip Cremin, of Rathowen. Philip Cremin had taken some land from which there had previously been some person evicted. He was a landgrabber. The date of the outrage was the 6th of February. On the 23rd of January 1887 occurred a meeting at which the speeches were delivered which I read yesterday of Dr. Tanner and Mr. O'Hea, at which landgrabbers were denounced.

*The President:* I thought you said that was the 25th January.

*The Attorney-General:* I should have said the 23rd from my note. I daresay I did carelessly say the 25th. I am very sorry. On the 23rd of January that meeting occurred at which landgrabbers were denounced. On the 6th of February at 6 o'clock in the evening both Cremin and his wife were shot at as they were sitting in their house; two shots apparently from either a rifle or revolver, and both the bullets, as nearly as possible, struck these people, passing between them. They had a most providential escape. Immediately after that Cremin was boycotted and stoned on the occasion of his going to chapel. My Lord, the sole offence this unfortunate individual had committed was that he thought he could make his living by occupying a piece of evicted land. Your Lordship will observe it is part of this legal Parliamentary Organisation that no person is to be allowed ever to occupy any piece of evicted land.

On the 3rd of February 1887 occurred an outrage on two girls, two daughters of a man named Murphy. This was an outrage which was reported and of which the particulars were perfectly well known at the time. There had previously been a meeting; the same meeting to which I have referred, namely, the 23rd of January 1887. Among other things Dr. Tanner and O'Hea had told the people that none of them ought to associate with the police. These two young girls were supposed to have spoken to policemen, and on the 3rd of February their house was entered and their hair was cut off and tar was poured upon their heads. Well, my Lord, of course it is only an instance, I suppose, of what may be said to be a Land League joke or a National League joke. It will show what was the effect of such speeches as were delivered by Dr. Tanner and Mr. O'Hea. Reference to these persons not speaking to the police,



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and in a few days afterwards somebody who is supposed to have spoken to the police so treated.

On the 2nd April 1887 occurred the firing into the dwelling of Cornelius Regan (another man named Regan). Regan had occupied land, and the sole complaint against him was that he had paid his rent.

*Sir C. Russell* : This is not the same Regan, I suppose ?

*The Attorney-General* : Not the same Regan, a different Regan. It is at Killaba, near Charleville. Cornelius Regan had been threatened as far back as February 1886 that if he paid his rent it would be the worse for him. The notice he had received will be put in evidence. However, he did pay his rent. He was willing to make an arrangement with his landlord, the landlord being willing to give a reduction of 30 per cent. Regan thought it was quite a sufficient reduction, and was perfectly willing to have remained, paying the lower rent. The other members of the League, also tenants of the same landlord, said that 30 per cent. was not enough, and they wanted him to join the National League, they being members of the National League, and to decline to pay rent with a reduction so small as 30 per cent., and he not doing so they attacked both him and his wife in the night and fired into his bedroom in which he and his wife and his daughter were sleeping, with guns which were charged with slugs, small nails, and small pieces of iron. On that particular occasion they did not, I am thankful to say, hit him. But your Lordship will just observe the abominable tyranny of this. The simple and sole offence this man had committed was that he was willing to continue to occupy his land; he thought the reduction was sufficient, whereas the others who thought they could get better terms insisted that he should not act apart from them. My Lord, I do not propose, at any rate at present, to open before your Lordship subsequent outrages. It is not necessary for the purpose of my case, because the charges were made, as your Lordship is aware, in the month of March 1887; but it must not be supposed by my abstaining from indicating that I have evidence that I cannot, if necessary, produce the evidence. I shall, if it be necessary to show that this is a combined organization and conspiracy to effect an illegal purpose by illegal means, be able to show your Lordship that that was continuing after the early part of 1887, and practically down to the present time. And speeches, if it be necessary—if these gentlemen profess they did not understand what was the effect of their speeches, what were the consequences of their conduct, I can show your Lordship that they have been continuing to make the same speeches with the same results time after time after they had by practical sad experience seen what was the consequence of the conduct they were pursuing. In fact, my Lord, I do not know how it can possibly be suggested in the face of this evidence that there was what I may call an unfortunate coincidence between the speeches of persons who delivered them with another object and the consequences which followed, which they never had expected would follow, or which they will allege, possibly, before your Lordship were not the natural result of those speeches.

My Lord, I am not going to read speeches in other counties than those to which I have referred; but while I am passing away from the County of Cork, and in connexion with the last observation which I made to your Lordship, I shall put in in the course of the case a most violent speech made by Mr. Dillon, Member of Parliament, on the 7th November 1886. It does not happen to be in one of these counties, but it will be part of the proof in connexion with one of the other counties. It was at Keenagh, in County Longford, of which there is a very full report. I am not going to read the speech now. I will give my learned friends the reference to it. But the reason why I have said that this was a system and was being preached as a system by these Members of Parliament is this: that in that speech it will be found Mr. Dillon alludes to what had been done in Kerry; alludes to what had been done in other places where the most violent outrages had taken place; and calls upon and asks the people of Longford and West Meath to do the same. I have not a particle of objection to the whole of this speech going in as part of what I am going to prove. It is a speech of some eight or nine pages long. I will hand it to my learned friend, and it may appear as though I had read the whole of it at the present time.

*Sir C. Russell* : I think it had better be put in in the ordinary course.

*The Attorney-General* : I beg your pardon, I have referred to it now, and I think it better it should go in at the present time. If my friend wishes me to read it now I will do so. I have handed my friend a copy of the speech in the same way as other



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speeches, and I will treat it as being a speech I have referred to as a specimen, not dealing altogether with the County of Longford, but referred to because I have just previously made the observation that this was preached as a system; that this was preached as something which was to be practised by reference to what had been done in other counties and other places.

*Mr. Reid* : I only asked for a copy of it, that is all.

*The Attorney-General* : I quite agree. I shall be glad to give you a copy.

*Sir C. Russell* : I do not find it is in the particulars. That is the reason we asked.

*The Attorney-General* : As a matter of fact, I believe it is in the particulars; but I will take care the particulars are amended if it be not so. I find Sir Charles is right. It is not in the particulars. I will see that the particulars are amended by the further speeches.

*The President* : Take care that is done; and the sooner it is done the less ground for complaint there will be.

*The Attorney-General* : Your Lordship is quite right.

*Sir C. Russell* : We are not making any complaint at all. My friend Mr. Reid asked for a copy of it.

*The Attorney-General* : I will take care that to-morrow the particulars are amended.

*The President* : Not only with regard to that.

*The Attorney-General* : No; I mean with regard to other speeches, because we may have received, and I think have received, several since the time those particulars were delivered.

Now, my Lord, I want to read a few speeches in the County of Clare.

*Sir C. Russell* : All I was suggesting was, if my friend did not propose to read it now, it had better not go in now, but in the ordinary course.

*The Attorney-General* : Then I think I had better read it.

*Sir C. Russell* : I am sure I do not want it read.

*The Attorney-General* : My friend could not be unreasonable.

*Sir C. Russell* : I do not wish to be.

*The Attorney-General* : I will just read so many passages from this speech as I contend make good my proposition. I do not want to do more than that, and I only hoped for once I might possibly save a little time. In the early part of this speech Mr. John Dillon said this :—

*Sir C. Russell* : Read it all.

*The Attorney-General* : I will read it all if you wish.

*The President* : No; do not be induced to read it. You do not wish it to be made an exception to the rule we have already made, do you, Sir Charles? The portion which is read will be indicated in some way or other.

*Sir C. Russell* : No, my Lord; on the contrary, I wish that the rule is followed. This is a long speech, and my friend proposes the whole of it should be printed, although he only proposed to read passages. To that I have no objection. On the contrary, I want it, and in the other cases.

*The Attorney-General* : Wherever I can I will meet my learned friend, I assure him. [The document was put in and read. It was as follows] :—

[\*Keenagh, County Longford,  
7th November 1886.]

Witness : Sergeant M. O'RORKE.

Speaker : J. M. DILLON, M.P.

J. DILLON, M.P.,

Said "Men of Longford and Westmeath, could anyone for a moment doubt  
" when looking at the thousands that are around this platform to-day that if  
" you were but organised amongst yourselves, and acted together loyally, one  
" man with his neighbour, under proper leadership, you need have no fear for  
" Lord Annaly or Matthew Weld O'Connor in this part of the country. (Groans.)  
" You know as well as I know that the only thing to stand between you, the

\* The portions within brackets were not read.



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“ people of Longford, and perfect freedom in your own homes, aye, and low  
 “ rents on your own farms, is the difficulty to get you to organise together and  
 “ follow as one man the lines which we have laid down for you. If Lord Annaly  
 “ or Colonel King-Harman believed for one moment (groans) that you, the  
 “ people of Longford, would follow out the policy which we recommend to you,  
 “ and not betray each other, and would take no terms one man that was not  
 “ given to all, I say if they believed that to-morrow you could fix your own rent.  
 “ The reason why they show you no mercy here in Longford, the reason why  
 “ Lord Annaly refuses a penny of reduction, while the Marquis of Lansdowne in  
 “ Kerry is giving 20 per cent., aye, on the judicial rents, the reason is, because  
 “ in Kerry they know how to stand up and defend their homes, and because in  
 “ Longford you have been too quiet. (Cheers.) Believe me, if in the south of  
 “ Ireland the landlords are very gentle—not all of them, but a great many of  
 “ them, and those the biggest fish—and are giving good reductions on the  
 “ judicial rents, while I am sorry to say that the landlords here won't give a  
 “ reduction on the old rents even. (Cheers.) Well, now, who have you to blame  
 “ for that? Yourselves, and no one else. If you organise in this county, if you  
 “ did as the Kerry boys did—I don't mean to say by that I want you to become  
 “ moonlighters. What I mean to say is this, that you must show the landlords,  
 “ you must show the agents, you must show the bailiffs, and every single man  
 “ who hangs round the rent office, if he is against the tenant you can make him  
 “ suffer for it. (Cheers.)”

Now I think the Irish people are 'cute enough.

“ Look at the lesson that has been taught the people of Ireland by the  
 “ people of Woodford. Now I say to you how are you to make those men who  
 “ stand by the landlords, who assist in their evil work—I ask how are you to  
 “ make them suffer? I do not mean to assert to commit any act of violence;  
 “ on the contrary, I have always warned the people of Ireland against that  
 “ course. What I do say I know by experience, that where the people are  
 “ organised, and are loyal to each other, they can make those men suffer and  
 “ tremble in their shoes without raising a single finger against them.”

Now, my Lord, your Lordship knows what, if my case is right, is the meaning of  
 “ organising,” “being loyal to one another,” and “making men suffer without  
 “ raising a single finger against them.” It was that if a man was courageous  
 enough to stand the suffering from the organisation, the fingers were raised against  
 him.

[\* “ I have seen men the most bloody and overbearing hungry landlords—  
 “ I have seen them come to the committee of the League branch begging for  
 “ mercy, men who, a short time before would have given very little mercy to  
 “ any farmer in the country. So I say you must learn, if you want to have any  
 “ justice here in Longford, you must learn to direct attention to bailiffs and  
 “ agents.] Now I want to say a few words about the lesson that has been  
 “ taught to Ireland by the little parish of Woodford, in the south of Galway.  
 “ (Cheers.) Now the people of Woodford had a man to deal with as tough a  
 “ customer as any landlord in Ireland; in the first place a rich man—  
 “ very rich ;”

Then occurs a reference to Lord Clanricarde.

[“and in the second place he lives away in London, no one knows where. Now  
 “ the people in Woodford—there are 320 tenants in that parish, but it is only  
 “ portion of the estate, and last November, only one year ago, these people  
 “ asked for a reduction of rent, 25 per cent. Well, Lord Clanricarde did not  
 “ take the trouble of answering their letter, he never noticed it, although a  
 “ bishop's name was signed at the foot. The people, 320 tenants in Woodford,  
 “ came to the result that they would not pay one shilling until a reduction was

\* The passages in brackets were not read.



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“ given them. That struggle commenced a year ago, and I wanted to lay before  
 “ you the net result of that year in Woodford. The Government have expended  
 “ thousands of pounds in an expedition to that country; Lord Clanricarde must  
 “ have lost at the very least 3,000*l*. What did he succeed in doing for all this  
 “ outlay on the people of Woodford? He has only got six men out of their  
 “ houses. He has got six men evicted. It took him a good long time—a whole  
 “ year—to get these six men out of their houses; and recollect that the 320  
 “ tenants have not paid one shilling yet, nor will they pay a shilling. (Cheers.)  
 “ He picks out—of course landlords always do—he picked out four men to pay  
 “ their rent. A great many of these Woodford tenants are too poor to pay,  
 “ as many of you are. He picked out those he knew to be of good reputa-  
 “ tion in the parish of Woodford, and he went into the place with 800 men at  
 “ his back. Well, now, although no blow was struck it took those 800 men ten  
 “ days to get those four men out of their homes, and this has been the result.  
 “ That took place two months ago, and Lord Clanricarde has done nothing more  
 “ since. . . . The people of Woodford have set an example that  
 “ they have a right to be proud of, and all Ireland should be thankful to them.  
 “ When the four men were selected to be evicted they defied him; and, although  
 “ they are out of their homes to-day, they are none the worse for that. They  
 “ have comfortable houses provided for them, and they are supported by the  
 “ public funds of the country, and they will be supported as long as there is an  
 “ organisation in Ireland on behalf of the tenants. They were the first to fall in  
 “ the struggle, which will benefit the population of Woodford and keep back the  
 “ evictors from the door of the poor man. They fell in the struggle which has  
 “ done good to the tenants’ cause all over Ireland and in America. Now, what I  
 “ say is this, that if we had 30 or 40 or 200 Woodfords in Ireland, where would  
 “ the landlords be? If it took so many thousand pounds to evict those four  
 “ tenants of Lord Clanricarde’s. If all Ireland was organised as Woodford the  
 “ Irish tenants’ case was settled. There would be no rack-rent or oppression in  
 “ this country. The only difficulty is this we have to contend with, is the diffi-  
 “ culty of getting the people to organise amongst themselves. This is the case I  
 “ find—I am sorry to find—in many districts in Ireland. While they like very much  
 “ to read descriptions of fights in other countries, while they are very glad to get all  
 “ the benefits they can by the fight, they do not like to fight the battle themselves.  
 “ I say that the secret of success is this, to have every parish in Ireland stand out  
 “ at the same time, and the Government would not attempt to carry out a war of  
 “ extermination against all. The difficulty is, that when a parish like Woodford  
 “ makes a gallant stand it is almost alone. Now, I said a few moments ago  
 “ that the men evicted in Woodford are none the worse for being evicted.”

*Mr. R. T. Reid*: May I ask my friend, the Attorney-General, as he is reading this, and I am appearing for Mr. Dillon, whether he will be kind enough to read the passage where he stopped, with the reference to the Woodford matter?

*The Attorney-General*: After that observation I think it is better to read the whole of it. I am sorry to weary your Lordship. I have no doubt observations will be made upon me if I do not do it. Therefore I will do it.

[The learned Attorney-General then read the omitted portions as set out above.]

Well, I think your Lordship will ultimately judge how far those passages are of any assistance to my learned friend.

*The President*: I must again say this, Mr. Attorney-General. You have done what you have in compliance with Mr. Reid’s request, but you must act upon your own judgment now. You must not read the whole if you do not think it material to your case. It is quite right, it will all be printed, and we shall have an opportunity of judging by the context.

*The Attorney-General*: I have handed the whole copy to my learned friend. Now I will read the passage I was going to read before.

“ Now, I said a few moments ago that the men evicted in Woodford are none  
 “ the worse for being evicted, and I say it again they are none the worse of it,  
 “ because in point of money they are richer men to-day than ever they were in .



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“ their lives, and know perfectly well that before this war is done they will be  
 “ back in their farms at a lower rent.”

What does that mean but that they were being supported by money which came from elsewhere.

“ No man, of course, dare take the farms, and no man ever will as long as  
 “ they are out of their farms. And Lord Clanricarde instead of getting his rent,  
 “ he has two or three emergency men in each farm with five policemen to guard  
 “ the three emergency men. (Groans.) ”

This is a court of law. Will it be suggested that is instigation to legal conduct or illegal conduct? Now, let us read a little further.

[\* “ So it must cost him at least 4*l.* a week to guard each farm. How long  
 “ do you think he is going on with that game? And if he goes to evict 10 or  
 “ 15 or more, likely he will have to pay 40*l.* or 50*l.* to protect these farms; and all  
 “ I can say is, that as long he likes to go on with that game, I am quite ready too.  
 “ (Cheers.) Meanwhile the rest of the people of that parish have stood like men,  
 “ and not one shilling will he get from the people of Woodford until he  
 “ reinstates these tenants, and gives the rest good terms.”] “ Now, I want to  
 “ say this that the people in America—the Irish in America—are assembling in  
 “ great meetings now, and collecting money for evicted tenants. Now, we  
 “ expect to get very large sums, and this I want to say to the people of Ireland,  
 “ that we shall take care in Dublin that the money goes to tenants in those  
 “ parishes who are fighting like men for their rights. (Cheers.) And not a  
 “ shilling of American money shall we send to any district which will lie down  
 “ and allow themselves to be trampled upon, and every penny of it shall be sent  
 “ to districts where we see the people standing up like men for their rights; and  
 “ remember that the right thing to do, is help those who have the courage to  
 “ help themselves.”

Is that instigating to legal conduct? To obedience of the law? Is not it the clearest and plainest instigation to these men that, if they break the law, if they decline to pay what they can pay, if they decline to be turned out of their farms when they won't pay their rent, that then they will be supported by American money?

[\* “ I have a word to say on this question of rents here. You know perfectly  
 “ well that the men who went in recently on the estates of Lord Annaly and  
 “ King-Harman to the Courts got very different reductions from those who went  
 “ in two or three years ago. I don't know whether any of you recollect that  
 “ when the Land Act was first passed we advised you not to be in a hurry going  
 “ into the Land Courts, and I am sorry that the Irish tenants who went into the  
 “ Land Courts against the advice of Mr. Parnell, and the League would give a  
 “ great deal if they had not gone in at all. Now the men who were slow to go  
 “ into the Courts are the men who are getting justice, and, in my opinion, the  
 “ Land Courts never did begin to give justice until last year. What do we see at  
 “ the last Land Sessions? Why we see Lord Annaly's rents and King-Harman's  
 “ rents were cut down in many cases 50 per cent., and in many other cases 40,  
 “ and in some of Lord Annaly's as much as 60 per cent. Now in the face of  
 “ this, can these men have the audacity to say they won't give reductions to the  
 “ men who are broken down with rack-rents, and obliged to go into the Courts, or  
 “ who went into the Land Courts too soon and get no decent reduction? All I can  
 “ say is this, that if the people here submit to such treatment as that they deserve  
 “ very little sympathy from the rest of Ireland. Now, I want to direct your  
 “ attention for a few moments to what took place in the Court House, Ballinasloe,  
 “ about a fortnight ago, in reference to the question of Griffith's valuation as a  
 “ test relating to rent. Mr. Kane, who was President of that Commission, said  
 “ he was giving judgment on some cases which had been heard at Strokestown.  
 “ He said—

“ ‘ In reference to these cases, and a good many others, I think they ought  
 “ ‘ to be enough to remove from the minds of the people the idea that Govern-

\* Passages enclosed within brackets were not read.



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“ ‘ment valuation was a good guide to the value of the land, and to show that  
 “ ‘the valuation was in some cases utterly and disproportionately high.’

“ Then he went on to give judgments, and I ask you to listen to some of the  
 “ judgments he gave. The first is Michael Harlow, valuation 5*l.* 14*s.*, judicial  
 “ rent 3*l.*; Pat Harlow, valuation 13*l.* 12*s.*, judicial rent 8*l.* 5*s.*; you see these  
 “ are nearly 40 per cent. below Griffith’s. The valuation in the next is 10*l.* 11*s.*,  
 “ judicial rent 6*l.*; valuation 20*l.*, judicial rent 14*l.* Now, I say that those of  
 “ you who are making up your minds to pay a fair rent should carefully consider  
 “ these decisions of the Land Court. I, long ago, made up my mind from obser-  
 “ vation of a certain class of land in Mayo and Roscommon, which I knew  
 “ something of, Griffith’s valuation in many cases is nearly double the valuation  
 “ of the land. Now, in my opinion, on poor light land, and land that used to be  
 “ tilled, Griffith’s valuation is above double the value, and the Land Commissioners  
 “ are only discovering that now. If you had taken our advice three or four  
 “ years ago, and held away from the Land Courts; if you had not been so  
 “ anxious to get in, they would have done justice then instead of now. They,  
 “ therefore, saw this, when they saw you all so anxious and in such a hurry to  
 “ get in—it was like the old story, ‘Come into my parlour said the spider to the  
 “ fly.’ If you had not gone in such a hurry they would have begun to give big  
 “ reductions, but when you went in a hurry and a rush, ‘We have you here now,  
 “ and we will give you very little.’ Now, while the men who have not gone in  
 “ yet are the lucky men, they did not go in too soon. But what was it, and why,  
 “ I want to ask you, why is it that this year the Land Commissioners are giving  
 “ so much better terms? The one reason, I am certain, because the land agitation  
 “ is rising again, and the moment agitation rises again in the country, the country  
 “ begins to organize, and that moment the farmers get better terms from the  
 “ landlords. (Cheers.)] Now see what is going on in the County Kerry. Kerry,  
 “ up till recently, was the worst-treated county in all Ireland. The rents were  
 “ higher, and there were more evictions by far than in any other county in  
 “ Ireland. The Kerry people did not lie down. The Kerry people showed some  
 “ fight.”

I pray your Lordship to note this :—

“ The Kerry people showed that if farms were evicted no man would step  
 “ into his neighbour’s shoes, and to-day in the County Kerry there are three or  
 “ four hundred farms on which no man dare lay his foot.”

Now, my Lord, what is the meaning of that? I am aware it may be said against me,  
 in my desire to make my meaning clear to your Lordships, that I have been guilty of  
 repetition, but I cannot help it because I wish to impress upon your Lordship that the  
 result of organization was that persons dare not take possession of the land which  
 belonged to another man, even under a lawful bargain, and there is a boast of the con-  
 sequences in Kerry of the moonlighting. It may not have been Land League moon-  
 lighting, but still, in consequence of the moonlighting and firing into houses, we find  
 400 farms on which no man dare lay his foot. That is the conduct which this speech  
 invites the people to imitate.

“ What is the result of that? The result is that they sent down a general  
 “ officer named Buller (groans) to put down moonlighting and coerce the Kerry  
 “ tenants. (Groans.) But wait till I tell you what happened. General Buller  
 “ had not been two months in Kerry before he began to coerce the Kerry landlords  
 “ not the tenants. (Laughter.) And at the present moment in Kerry it is the  
 “ Kerry landlords who are down on General Buller, and not the tenants. (Cheers.)  
 “ The other day, when Lord Kenmare assembled a large force of police for the  
 “ purpose of carrying out these evictions we have heard so much about, General,  
 “ Buller ordered the police to go home, and sent a circular to Lord Kenmare, he  
 “ would not allow any police to evictions until he had first found whether the  
 “ eviction was cruel or not.” (Loud cheers.)

[\* “ Well, that is exactly what we asked the Government to do two years  
 “ ago, and what we asked them to do last year and last spring, and they said they

\* Passages within brackets were not read.



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[Continued.]

“ would do nothing of the sort ; and do you believe they would do it now if the  
“ Kerry people had submitted peaceably to be driven out of their homes ? As long  
“ as the Irish people submitted in peace to be persecuted and exterminated, so long  
“ no one had a word of mercy for them ; but when they arose, as in Kerry, and  
“ struck back blow for blow against their oppressors, then the Government began  
“ to think there must be some justice in the people’s claim. The lesson I have  
“ to teach you is this, if you want to save yourselves from cruel exterminating  
“ ruin and extermination, if you want to prevent men—every man of you  
“ according as you get too poor to pay—from being driven from your homes,  
“ and with nobody to sympathise with you, you must begin in time, you must  
“ organise now, you must stand shoulder to shoulder, those who can pay side by  
“ side with those who cannot pay ; you must show the landlords and the Govern-  
“ ment that if they are going to extremes to harass the tenantry of Longford,  
“ you will want a general officer down here, as in Kerry. (Laughter.) And the  
“ best thing would be to do, as a result of our experience, would be to have  
“ every county in Ireland requiring a general officer for itself. (Cheers.) I  
“ know perfectly well, and the real truth is this, that this injustice and tyranny  
“ which these men like Mr. Matthew Weld O’Connor practise on you—(groans)—  
“ must be done, if it is to be done at all, must be done in the dark, and if you  
“ drag into daylight by our exercise and by your agitation, if you drag into  
“ daylight these deeds, like Mr. Samuel Hussey and many more of his kidney,  
“ he will be obliged to retire into obscurity, and give up the battle ; but if you  
“ submit, as you have submitted quietly before, if you allow these things to be  
“ done without paying back to some extent the men who harass and torment you,  
“ then, I say, the Government will support them in that policy, and every  
“ tyranny, and every cruelty, and every extortion that can be done here in  
“ Longford in the dark will be done, and nobody will sympathise with you.  
“ And it is now for the people of Longford to make up their minds which course  
“ they will adopt ; whether, on the one hand, they here in Longford will allow  
“ the landlords and their agents to have their own way, or whether they will  
“ adopt the policy which we have offered to them, a policy which, wherever the  
“ people have adopted it honestly and with courage, has always succeeded with  
“ them ; a policy which will be said exposes the people to some risks and some  
“ dangers. But what risk and danger does it expose you to which you will not  
“ have to undergo to a greater extent if you lie down and allow the landlords  
“ and agents to walk on you ? A policy which may expose the people to some  
“ risks and some dangers ; but I put to you, when in the history of the world  
“ did any men win anything worth having if they did not show they were men  
“ prepared to struggle for it ? (Cheers.) Your fathers and the people of Ireland  
“ before us made greater sacrifices by far than we ask you to make for the eman-  
“ cipation of the Catholic Church than you have to return Members of Parliament,  
“ who very often betrayed the men who voted for them ; ay ! and people of this  
“ county and every county in Ireland, over and over again, went to the polls defying  
“ their landlords and their agents, and very little ever they got in return for those  
“ great dangers and sacrifices. But we call on the people of Ireland to make  
“ sacrifices and run risks, less by far than your fathers did before you, and for  
“ what cause do we ask you to make them, not for our benefit or for purely  
“ political motives to destroy that tyranny which crushed your people before you,  
“ and threatens to send you down to the same destruction—(cheers)—and to destroy  
“ that system which has depopulated this county, and depopulated Meath and  
“ Westmeath, and all the best counties of Ireland in the past, and which had the  
“ men of 30 years ago had the organisation which we offer you to-day, I tell you  
“ that hundreds of homes would be standing to-day, homes for good and honest  
“ people, which are levelled now, and over the ruins of which bullocks and sheep  
“ are feeding. (Cheers.) ] We call upon you to adopt this policy in order to  
“ destroy that system which has been the curse of Ireland, and which has ruined  
“ the homes of her people and driven thousands out of this country. We call  
“ upon you to adopt this policy, and to destroy that gang of men called landlords  
“ —(cheers and groans),—who never in the past history of Ireland have shown the  
“ smallest sympathy for her people, or the smallest interest in her welfare, and  
“ who in every demand that has been made in the past to set free our country



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“ and assert her nationality, these landlords have always stood as foremost, and  
 “ cruelest, and bloodiest, to put down the national ranks. Believe me when I  
 “ tell you, until you have done this, and taken out of the hearts of the Irish  
 “ farmer that fear, which is too much, of the agent and the landlord, you never  
 “ will see in Ireland a free people, and you never will see this country able to  
 “ make its own laws. On the other hand, if you, by following the policy we  
 “ recommend to you, crush landlordism and its agents, and if you do that you  
 “ will have for yourselves, not only happy and free homes, but for your country,  
 “ freedom and independence. Because that power which has sat between you, in  
 “ the path of Ireland in the past, that power which has more than anything else  
 “ under the sun denied Ireland the liberty and right to govern her own country,  
 “ that power which has poured upon our country poverty, disturbance, destruc-  
 “ tion, and misery, has been, I say, more than anything else under the sun, the  
 “ power of Irish rackrenting and evicting landlordism. (Cheers.) ”

My Lord, I noticed that once, when by accident yesterday I used the word exterminating landlords, when I was referring to Mr. Davitt's speeches, instead of exterminating landlordism, I was properly corrected, but exterminating landlordism only means exterminating the landlords who are in the position of persons to whom the “ism” can be applied. And it must be plain, I submit to your Lordship, that if this is true, and if there is an absolute absence of any attempt to minimise the result of these invitations, that there was at this time a determined and organised attempt to break down every one of those relations whereby the ordinary position of landlord and tenant was established, and upon which it rested.

[\*“ And if you will only make up your minds to organise and follow the  
 “ example set to you by Kerry, and by Woodford, you will enable us to crush  
 “ that power, and to put an end for ever in Ireland to tyranny, extermination,  
 “ and rackrent. I have only to say, in conclusion, that I advise everyone here who  
 “ is listening to me to-day to take up and read the ‘Plan of Campaign’ which  
 “ was published in ‘United Ireland,’ to keep that in his house, and whenever  
 “ any estate is going to organise and demand terms from the landlords, that they  
 “ follow as nearly as they can the policy which is there laid down, and which we  
 “ have carefully thought out for the guidance of the people of this country. If  
 “ they will do that, as I have no doubt, they will succeed. But in conclusion, I  
 “ appeal to you all in this struggle, in order that this policy may have an effect,  
 “ let every individual man in every parish enrol himself in the ranks of the  
 “ League, attend the meetings, and elect officers in whom you have every confidence  
 “ as honest men, and when you have elected the men in whom you have confidence,  
 “ then follow these men on to victory. (Loud cheers.) ”]

Now, my Lord, I go to the County of Clare. I have a few speeches, a selection of a great many in the years 1885, 1886, and 1887, which I wish to put before your Lordship.

*The President:* Do you think it necessary to go through another county? Is not that a sufficient indication of the line of argument you are going to adopt? I do not wish to check you in giving any particulars to Sir Charles Russell.

*The Attorney-General:* Yes, my Lord. I am very much obliged to your Lordship. I thank your Lordship.

*Sir C. Russell:* I shall be quite satisfied if my friend will hand me copies of the speeches he relies upon.

*The Attorney-General:* I feel this, my Lord.

*The President:* Having said that, I leave it entirely to you.

*The Attorney-General:* It is a matter which my learned friends, Sir Henry James, Mr. Murphy, and I have anxiously considered, and I think your Lordship will remember that I showed that we had considered it by telling you very early in my speech that I had made a selection of counties instead of dealing with every county. I might have gone taking speakers only, and gone over the whole range of Ireland; but, my Lord, I think it right in the exercise of the responsibility upon me to call attention to many of the speeches, because they are by different speakers. They are by speakers who

\* Bracketed paragraphs were not read.



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[Continued.]

have not at present made such speeches, and they show that particular speakers had organised, and were organising, different counties; but I will do it as briefly as I can. I quite understand your Lordship's hint to me, and I think I ought, so far as I can consistently with my duty, do what I can to shorten the observations I have to make.

My Lord, on the 1st March 1885, at Kilkishin, in County Clare, Mr. P. J. McNamara, who will be shown to be the National League organiser for more than one county—to be one of the regular organisers of the National League—went down and made a most violent speech, at which he said, among other things:—

“ Propagate the seed of the National Land League—what the men on the Manchester scaffold died for. If you want to achieve what they did, join the League as a means. Dublin Castle must fall.”

Witness.

Sergeant  
J. Noble.  
Constable  
T. Baxter.

(Longhand Notes.)

On the 24th April in the same year at Tulla occurred a speech of William O'Brien, which I think it necessary to refer to as showing the continuity of the movement which I am referring to.

“ Three years ago, when the Crimes Act began, it found the country staggering after a fearful series of blows, and with nothing but an infant organisation struggling into existence. Has it crushed that organisation? No; on the contrary, the three years that have passed of merciless and bloody coercion have only braved up the strength and courage of the Irish nation, and cemented them together perhaps in an organisation the most methodical, deeply rooted, and most formidable that ever threatened English rule in Ireland. If they passed the Crimes Act for the purpose of putting down boycotting and popularising landgrabbers, I don't think they have succeeded in either of these objects. I am sorry to think by one of your resolutions that the landgrabber is a species of reptile not yet quite extinct, but wherever I find a landgrabber still poisoning the air, I generally find it is the fault of the people rather than the law, because I defy all the Crimes Acts that were ever passed to prevent the people from making a landgrabber—a man who steals his neighbour's farm and cuts his neighbour's throat—to make him feel that he is an outcast and an object of scorn, and contempt, and loathing in the sight of his neighbours. They may prevent you calling it boycotting, but boycotting by any other name is just as effectual a process. In fact it sometimes occurred to me that, next to Mr. Harrington, Earl Spencer is the best organiser the League ever had. He has improved our organisation, for by his proclamation he drove the people from big meetings, where little practical work was done, to private meetings, where there was less talk and more work. (Cheers.)

Witness.

Constable  
J. Scanlon,  
Reporter.

“ Nothing can prevent you continuing the glorious work begun by Michael Davitt at Irishtown and exterminating landlordism root and branch, and all its seed, breed, and generation.” (Cheers.)

That was the Irishtown meeting in the year 1879.

*Sir C. Russell*: You are quite right.

*The Attorney-General*: I think in the year 1879.

*Sir C. Russell*: Quite right.

*The Attorney-General*:

“ It has pleased God that our lot has been cast in days when we can enjoy the religious equality, education, political power, and social emancipation that our forefathers sighed for and spilled their blood for in many a hopeless age, and we would be unworthy of our ancestors, we would deserve the scorn and indignation of those that would come after us, if, in this day of dawning hope and power for the Irish, we ever falter or flinch until we have banished the twin demons of landlordism and of English rule for ever from our shores—(cheers)—and until we have planted on the highest pinnacle of Dublin Castle the flag of a redeemed and regenerated Irish nation.” (Loud cheers.)



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[Continued.]

There are sections again in the last part of the speech, the whole text coming out of the separate existence and independence of Ireland as a nation, which was to enable the American section to join them. But what is more important, no Crimes Act that was ever passed could prevent the people from making the landlord the man who steals his neighbour's farm and cuts his neighbour's throat. What is the position of these Members of Parliament who made these speeches? Powerful Irish speakers who would influence the men in all directions. What right have they to speak of landlords as landgrabbers, lepers, and outcasts? A landlord has legal rights to turn a man out of his farm. The poor man he goes to take that farm. He says I can get that at a moderate rent. What sin is there in his doing so? Who is there who would say that apart from his position of an advocate, who is there who would say that a landgrabber ought to be shot, that the landgrabber ought to be boycotted or intimidated or treated as a leper? I hope at any rate I am not doing too much in suggesting to your Lordships that this is an observation which will commend itself to any judicial tribunal in any part of the United Kingdom. Now, I will call your Lordships' attention to a series of speeches. They are all at one meeting I am glad to say. They commenced in November 1886. On the 20th November at which Mr. Cox, Mr. Kenny, and Mr. Redmund were present.

[Document put in and read is as follows]:

## ENNIS, COUNTY CLARE.

20.11.86.

Speakers: Mr. J. R. Cox, M.P., Mr. KENNY, M.P., Mr. J. E. REDMOND, M.P.

Mr. J. R. Cox, M.P., said—

If there was anything needed to keep up the patriotic spirit, is it not enough for us to remember the cause in which O'Connell failed, in which Lord Edward and Emmett and Wolfe Tone failed, and the men of '48 and '67—(cheers)—and that it is given to us to accomplish.

Witness.  
Constable  
J. Scanlin,  
Reporter.

Mr. Kenny referred to a sheriff's sale for rent, and then continuing he said—

“You know what these men are and you must know also how to fight against them. You know that they are all of the same kidney as Marcus Keane and Dick Stackpool—(groans)—and if they could, would not only quench the fire of every tenant-farmer in the county Clare, but would pull down the houses around the Nationalists of Ennis. Now men of Ennis, I heard somebody in the crowd asking me about Maurice O'Halloran. Well, perhaps Mr. Cox does not know Mr. Maurice as well as I do. I promise you I know him, and I will think of him; I know it was he who set the bloodhounds on the track of the innocent boys that are now in penal servitude for life for doing nothing. (Groans.) I know it was he that sent the Delahunty's to a living tomb, and I promise for that, though Maurice has four v's on his arm, I will strip them off his arm yet. I promise you that the blackguards and shoneens will not always have the Government of this country in their hands, and then what we say will be the law of the land, and we will take this system of tyranny and oppression out of the hands of the blackguards who are now doing the bidding of the English Government in this country. (Cheers.)

“You do not know the day, nor the hour, nor the moment the landlords or their agents may set themselves to depopulate the country around here. You do not know the day you may be called upon to act like the men of Woodford. If you join the League you will show the world that you are as good men as the people of Woodford, and when the people of this country may be attacked, as attacked they will, you must show that you are as well able to resist bailiff and agent as the people of Woodford were.”

I ask your Lordships to notice that—

“You are as well able to resist the bailiff and agents as the people of Woodford were.”



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[Continued.]

“ You know how the bailiffs and agents were cured in Woodford, and it is a good example if they try to trample you in Clare.”

Now, my Lords, but a few months before that, in Woodford, the bailiff Finlay had been cured by being shot, and I ask your Lordships to consider, when you look at this impartial position which you fill, is it possible to imagine that there was any other reference to the way in which “ bailiffs should be cured,” or anything else could be intended by that reference at Woodford, than practically speaking that he was to be guilty of such conduct as that whereby the unfortunate man Finlay had met his death. Mr. Redmond was introduced to the meeting as “ the author of the truth about '98,” and said—

“ That the Home Rule movement had been pushed into its present position by the land movement for the past five or six years, and that to-day, when the triumph of the Home Rule movement had been postponed for a while, it was their manifest duty and their wisest policy to fall back again upon the weapon of the land question. The Home Rule Bill of Mr. Gladstone offered a settlement, not only of the Home Rule question, but of the land question, and the people of Ireland, with that excessive justice which has always characterised them in the past, were willing, in order to bring about a settlement, to agree to extravagant terms of generosity to the landlords. The landlords deliberately refused that chance, and to-day the responsibility lies upon their heads if we are forced before the Home Rule question is settled so to drive them on the question of the land that they in the end will be driven a beggared and God-forsaken and bankrupt race.”

On the 21st November, in the same year, the very next day, these men were going round the county organising the place. There are a few of the short extracts which I wish to read in these speeches. There was Father Curry, Catholic curate, Mr. Kenny, M.P., Mr. John Redmond, M.P. You need not trouble about Father Curry, it need not be read because it is not a report.

Mr. Kenny denounced Head Constable O'Halloran “ as a miserable and putrid companion of General Buller's.” Advised the tenants on the estates of Colonel and Captain O'Callaghan to adopt the Plan of Campaign.

Mr. John Redmond said he called upon the people in the presence of the Government reporter to lift up their hands and promise and declare that the Plan of Campaign will be adopted on every estate in the county of Clare. They will find among every large body of men some sneaking and treacherous cowards sneaking behind the backs of their fellows, sneaking in, and secretly paying the rent, and in this way selfishly saving themselves and exposing their brothers to the horrors of eviction. This must be guarded against, if the landlord is to be beaten, and the tenants are to win.

Then, my Lords, passing two or three others which I have not read—I will put them in when the time comes—I call attention to a speech on the 23rd January 1887 of Mr. S. J. Meany, of the United States of America, which was delivered at Newmarket-on-Fergus, in County Clare, and a speech of Mr. J. R. Cox, a Member of Parliament, also delivered at Newmarket-on-Fergus.

[The document was put in and read as follows]:

#### NEWMARKET-ON-FERGUS, CO. CLARE.

23.1.87.

Speaker: Mr. S. J. MEANY, U.S.A.

“ Said everyone knows who knows my record that if I had my will I would have another Plan of Campaign. However, we must not imperil the great cause; we must not endanger the triumph of what they call a constitutional success by the teaching of any unconstitutional doctrine.”

Witness.

Constable  
J. Scanlan,  
Reporter.

I can say I have heard a great deal and read a great deal, but I have not heard much of constitutional doctrine from what I have read.

“ This I must say in defence of my own career, that I have made a vow which can know no release but in its fulfilment, and in my calm judgment and deliberate opinion I give my full and entire adhesion to the doctrine of the



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“ Irish Parliamentary Party as an educational process and experiment towards a  
 “ final end. (Cheers.) However, my friends, as a representative of the American  
 “ press, I shall have pride and pleasure in giving to the American people the  
 “ assurance of your earnestness and support as I give you a thorough assurance  
 “ that, in heart and soul, in sentiment and sympathy, your brothers across the  
 “ Atlantic are with you and with Parnell, with justice to Ireland, full, free, and  
 “ complete. (Cheers.) Ireland shall be free from the centre to the sea, with a  
 “ free green flag flying over a free green land, and God save Ireland from the  
 “ treachery of her own sons as well as from the tyranny of the British Govern-  
 “ ment. I tell you here to-day, my friends, openly and boldly, to train, drill, and  
 “ arm. (Bravo.) Don’t say bravo till you know what I mean. Train yourself  
 “ in the exercise of produce, drill yourself in the quality of self-restraint, and arm  
 “ yourselves with a firm resolve not to be tempted into crime, no matter what  
 “ the provocation ; that is the training, drilling, and arming I mean.”

Now, my Lords, after that speech there was a resolution, and Mr. Cox spoke.  
 [The document was put in and read as follows]:

## NEWMARKET-ON-FERGUS, COUNTY CLARE.

23.1.87.

Speaker : Mr. J. R. Cox, M.P.

Resolution :

“ That we renew our condemnation of the landgrabber, emergency man, and  
 “ their aiders, abettors, and supporters.”

“ No man should be found in the country so vile or base as  
 “ to take possession of a farm from which a tenant was evicted for  
 “ nonpayment of impossible rent. If any man had the audacity or  
 “ the temerity to take that farm, with a heart bad and black enough  
 “ to take possession of that farm, the strength and manhood of the  
 “ country would come to the assistance of the wicked, and make it so hot, or  
 “ rather so cold, for the wretched landgrabber that he would be very glad to be  
 “ banished out of that place. Well, you have some evicted farms on the estate  
 “ of Stackpoole Mahon here. (Groans.) I am very glad hearing you express  
 “ your opinions by these hearty groans, and I hope that there is honesty and  
 “ sincerity and manhood behind these groans, and that you will put your  
 “ preachings by groans into practice, and that you will allow no man to take  
 “ possession of those farms.”

Witness.

Constable  
 J. Scanlan,  
 Reporter.

That, my Lords, was the advice Mr. Cox gave, and it does not need any words from  
 me to remind your Lordships of what “allowing no man to take possession of those  
 “ farms” meant.

“ This is one of the great tactics of warfare, that you are not to quit either  
 “ of the outposts conquered, but fight them all along the line. Whenever a land-  
 “ lord evicts a tenant for nonpayment of an impossible rent, we have an outpost  
 “ conquered as long as the farm remains idle and vacant, but if we allow the  
 “ landgrabber to take possession of that farm, then it is a fort or outpost taken  
 “ from us. You must see that there is manhood and strength enough in this part  
 “ of the country that no contemptible creature in the shape of a landgrabber will  
 “ take possession of it.”

This is in January 1887, my Lords, and Mr. Cox is a member of Parliament, and one  
 of the followers of Mr. Parnell, and a member of the National League.

“ If there is a shopkeeper or tradesman in this country who will supply  
 “ emergency men in possession of an evicted farm, that man is not one whit  
 “ worse or less contemptible than the emergency man or landlord himself. You  
 “ must fight this battle all along the line ; wherever you see a weak point in the  
 “ enemy’s ranks, charge there.”

Then, my Lords, I will not read at the present time any more in the county of Clare.  
 Your Lordships will not have failed to have noticed that Mr. Cox, Mr. Redmond, and



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[Continued.]

Mr. Kenny, the American speaker, are all there, taking part in the organisation, or whatever be the proper name by which it may be described. There were in the county of Clare many, but I do not want to refer to many, I am thankful to say, I only want to fix two outrages, the circumstances of which have a direct bearing upon the same, and the invitation which had been given by Mr. Cox in that speech which he had made. I will call attention to two, one in 1885, the firing at Charles Perry, of Formula, and the reason why I call attention to this is, because it covers a considerable period of time, and also shows your Lordships the way in which this organisation as a system was worked. Perry was a landlord who let a house to a man named Brown at 2*l.*—no, I beg your pardon, Perry was the agent.

*The President:* What is the date of this?

*The Attorney-General:* The actual outrage is the 5th April 1885.

*The President:* I suppose I misunderstood you. I thought you said you were going to give an outrage which illustrated something which Mr. Cox had said. That was a man named Byers.

*The Attorney-General:* I was, but it does not happen to be that particular one; that does in some sense illustrate it. I agree that the particular fact I am going to call your attention to is before that speech. There was a man named Brown who owned a house, Mr. Perry being his agent, and the rent of the house was 2*l.* It had been occupied at 2*l.* a very long time, and Perry thought 3*l.* was a proper rent. Whereupon the tenant gave up the house, and said he did not wish to pay any more rent and went out. Upon that an unfortunate butcher named Macnamara took the house at I believe a 3*l.* rental. It does not seem a very large increase, having regard to the fact that it was a house in the village of Tully. Thereupon Perry was summoned before the League, and he did not attend. I shall prove before your Lordships that Macnamara was then summoned formally before the League, and ordered to give up the house. He asked for time, some little time was given him, and because he did not give it up as quickly as the League wished, they issued orders that he be boycotted. Your Lordships will find that this is an incident of the tribunal, the orders of which will be proved before you in many other cases. Two of Perry's labourers continued to work for him; they were summoned before the Land League, and ordered to leave their employment. Being practically unable to earn their living, they went back and asked the League to be allowed to go and work for Perry again, as they could not get a living in any other way. That was refused. On the 5th April 1885 Perry was fired at in broad daylight on his way home from church. Macnamara, the unfortunate man who was boycotted, because he did not leave the house as quickly as he could, he did afterwards leave it in consequence of the pressure put upon him; and he had the very greatest difficulty in getting any place in which he could carry on his trade. I think, if my instructions are right, he carried on the trade of a butcher. None of the people were allowed to work for Perry to enable him to get in his harvest, he could not get any people to work for him in consequence of the threats that were used. His brother, who simply received some hay from him in lieu of wages, was also summoned before the Land League Committee. That was also in September 1885. His house was broken into because he would not give in to the terms of the Land League Committee; he was dragged out of his house and severely beaten with sticks in the middle of the night because he would not agree to obey the orders of the Land League. That was Perry, the brother of the Perry who simply received hay, having done work for his brother and received hay instead of money. I suppose that is how the Land League found it out. The house remained vacant until 1886, and then, my Lords, followed this strange thing, when the house was taken repossession of by the man who had previously been unwilling to pay 3*l.*, but willing to pay 2*l.*; then the men who had previously been under threats by the Land League were formally exonerated from blame by the Land League and allowed to go about and do their ordinary work. I submit to your Lordships that shows this was a work as an organisation dealing with everybody who could directly or indirectly be attacked in connexion with some person who was supposed to be offending against the League.

I call your Lordships' attention now to the case of John Byers, murdered the 14th February 1887, which was the other case I meant to refer to, and which I had in my mind when I said it particularly illustrated the practical carrying into effect the advice that was given by Mr. J. R. Cox. Your Lordships will not have forgotten he said "if any vacated farm remains unoccupied that is an outpost won by us; if it is



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[Continued.]

“occupied the landlord has a victory, and it is an outpost won by the party opposed to us.” Well, in February 1886 Mrs. O’Grady evicted two tenants from a farm at Ballycar, and she put in two men to take care of the property, Byers and Macmanus. I think, on my instructions, it will turn out that these men were not persons against whom the people of the neighbourhood held the slightest grudge, in fact, I rather think they were not known in the neighbourhood. I think they were strangers brought down for the purpose of taking care of this property. They were placed under police protection shortly after they came down, and at the very meeting at which Mr. Cox’s speech was delivered, and John O’Connor was there, but I did not read his speech because I do not know whether I have a report of it; the notice which called that meeting on the 23rd January 1887 was a notice of a meeting under the auspices of the Irish National League, Sunday, the 23rd. Mr. Cox, Mr. Clare, and other gentlemen were present, the object of the meeting was to call attention to the action of the evictors and rackrents, some altogether vacated and some under sentence; and then occurred the speeches which I have read. This meeting took place on the 23rd January. On the 14th February as Macmanus and Byers were returning from the railway station at Ballycar, at 8 o’clock in the evening, six shots were fired at them; Byers was shot in the loins and died two days afterwards; Macmanus was wounded in the elbow, and one of the policemen who was with him received a charge of shot in his side. Those two men recovered, and Byers died. Now when Byers died, no coffin could be procured for him, for no one would even supply a coffin for him; no conveyance could be procured for him for the purpose of taking the coffin to the railway station; his wife was boycotted and jeered at, who had simply come down to see her husband, although she did not arrive, I am afraid, before he died.

Now, my Lords, I ask if it be suggested there is no connexion between the speech in that case and the action, what judgment you will form when you find that the notice of the meeting, the speeches at the meeting, are directed towards the unfortunate individual who in this particular instance was simply a man earning his livelihood; that is the result that is so construed by these wild men who were to be incited to follow the conduct which was suggested by the speaker, that the poor unfortunate man, within that short space of time after the meeting, is actually shot, so that he and the other men who were with him are severely and seriously wounded.

Now, there are a few speeches, my Lord, and I am glad to say but a very few which I have picked out in the county of Mayo. I think it right to give my learned friend notice of them, and as to some of them it is necessary I should read extracts to your Lordship. On the 20th of September 1885, at a meeting to establish a branch of the National Land League at Glenvalley, in county Mayo, I think the delegate who came down to establish the meeting was either Mr. John Mulligan or Mr. James Leonard. They both spoke.

#### GLENVALLEY, CO. MAYO.

20.9.85.

Speaker: JAMES LEONARD.

“Object of meeting to establish a branch of the National League. Said the  
 “grabber was in their midst; to have no dealings with him, no  
 “matter where he was met; to shun him. Do him no injury, either  
 “by burning his house, or murdering him.”

Witness.

—  
 Sergeant  
 G. Beattie,  
 Reporter.

And at that point I think it will be proved before your Lordship the person who spoke pointed in the direction of the house of a man named John Regan. He paused and pointed in the direction of his house.

“Denounced landlordism, and told the people to pay no rent; to keep their  
 “money in their pocket, as they would be very soon called upon to pay the cursed  
 “set of landlords.”



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[Continued.]

Speaker: JOHN MULLIGAN.

“ They all knew that the object of this meeting was to organise a branch  
 “ of the Irish National League, and to denounce landgrabbing,  
 “ grass-grabbing, and landlordism. He was sorry a case of the  
 “ kind occurred close to where the meeting was held, and also  
 “ another case at Stonehall. (‘That’s Tone; groans for him, the  
 “ robber, groans.’)”

Witness.  
 —  
 Constable.  
 P. Moriarty,  
 Reporter.

That is another name as to which evidence will be given.

“ Now the punishment for that crime of grabbing was to hold no communi-  
 “ cation, directly or indirectly, with him, to pass him by on the road as if he  
 “ was some unclean reptile. That such men were the curse of this country, and  
 “ the friend of the vampire class—the landlords. Such a man was worse than  
 “ the devil, and should be consigned to the lower pits of hell.”

My Lord, the poor unfortunate being there, it is suggested, is worse than the land-  
 lord. It is not the only occasion upon which the landgrabber was held up—as I think  
 in most speeches the landgrabber was held up—to quite as much contempt and quite as  
 much spoken against as the landlords themselves.

On the 27th September, at Irishtown, appeared Mr. P. J. Gordon, who your Lord-  
 ships will remember was organising several other parts of Ireland in the earlier  
 meetings to which I have referred. Mr. P. J. Gordon and Mr. James Daly, of  
 Castlebar, spoke on the 27th September 1885 at Irishtown. That is the week after  
 the previous meeting.

## IRISHTOWN, CO. MAYO.

27.9.85.

Speaker: P. J. GORDON, Claremorris.

Also present: Father Concannon; James Daly, Castlebar; Father Waters.

“ Landlordism and landgrabbing must go from Ireland; landgrabbing must be  
 “ put down. The landgrabber is a man cursed by God; if you  
 “ meet him on the highway, place on your forehead the sign of the  
 “ Cross. Boycott him at fairs or markets. If he enters the House  
 “ of God, let you go to the other side of the chapel.\*

Witness.  
 —  
 Sergeant  
 Christopher,  
 Reporter.

“ I am a sworn Fenian for my country; you are bound as one  
 “ man to join a branch of the National League, and then the landgrabber will be  
 “ pointed out, the landlords will be pointed, and every sulak in the village.”

\* Two priests spoke at this meeting. I am not able to say, my Lord, what a  
 sulak is.

*Sir C. Russell*: I should think, probably, it is a misprint for sneak; I do not  
 know.

*The Attorney-General*: Very well; “ and every sneak in the village.”

Speaker: J. DALY, Castlebar.

“ Said he did stand there as a Land Leaguer. He was one of the old guard,  
 “ prepared to moisten the green hills of his country, if necessary. Landlordism  
 “ must be wiped out, and the people will have to put their shoulders to the  
 “ wheel.

“ Resolution: Approving of action of Irish National party, and pledging  
 “ support to them, and declaring determination ‘ to do all we can to put down  
 “ ‘ landgrabbing.’ ”

Now, at Castlebar, on the 3rd November 1885, occurred a meeting at which two  
 speakers spoke to whom I referred when I was mentioning the name of J. W. Nally,  
 and I told your Lordships that I should read this speech in support of the view which  
 I stated, or the view which I was submitting as part of the evidence which I stated I  
 was prepared to prove, namely, that J. W. Nally was known both to Mr. Parnell and  
 Mr. Dillon as being a useful Land League organiser. Now, my Lord, this J. W. Nally  
 was the gentleman who made some of the most violent speeches which I read upon the  
 previous occasion. The first speaker was Mr. John Dillon.



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[Continued.]

## CASTLEBAR, COUNTY MAYO.

3.11.85.

Speaker: JOHN DILLON, M.P.

“Convention of Irish National League branches for the selection of Members of Parliament for the county. Local persons were nominated by the delegates, amongst them J. W. Nally, now undergoing 10 years’ penal servitude for conspiracy to murder, but after a stormy meeting the delegates were overridden by Mr. Parnell, and his selections were nominated.”

Witness.

Sergeant

M. Christopher,  
Reporter.

“Messrs. Sexton, O’Kelly, Dillon, and Parnell were present. Each of these speakers spoke in high terms of J. W. Nally, and it was urged that it was of vital importance that the county should be represented by a man who could sit and vote in Parliament.”

“Mr. Dillon said he had spoken to the leaders of the National movement in America, and they were anxious that Mr. Parnell should be loyally supported in order to see what his policy would do.”

*Sir C. Russell:* I think I ought to call attention to the fact that the print is P. W. Nally, but you corrected it and said it was J. W. Nally.

*The Attorney-General:* Quite true.

*Sir C. Russell:* It is a different person.

*The Attorney-General:* I think it will turn out this is the gentleman who did make the speeches. I am much obliged to Sir Charles; but I may mention that for the purposes of my argument it would make no difference, for both of them made speeches, and when the speeches come to be read I think it will turn out there was not much to choose between the violence of the speeches of the one or the other. On my instructions this is J. W. Nally. I am told it is printed wrong.

*The President:* Is this a Castlebar meeting?

*The Attorney-General:* Yes, a Castlebar meeting.

*Sir C. Russell:* One man is known as “Scrab” Nally I am informed.

*The Attorney-General:* J. W. Nally was the man who underwent 10 years’ penal servitude, and he is the man who is certainly referred to at this meeting.

*Sir C. Russell:* Very well.

*The Attorney-General:* My Lord, it is quite possible that there may be a mistake in the name. I am only stating to your Lordship what I believe will turn out to be the evidence. It is not very material with reference to what was said.

“Mr. Dillon said he had spoken to the leaders of the National movement in America, and they were anxious that Mr. Parnell should be loyally supported in order to see what his policy would do. The Irish Nationalists in America would prefer, if the opportunity arose, to appeal to a different tribunal from the English Parliament. They are anxious that for the present, when there is no opportunity of doing anything in the active field, that their support would be given to Mr. Parnell, because they believe and are convinced that Mr. Parnell and his party are honest enemies of English rule. Is not Mr. Parnell and his party an enemy of English rule in Ireland?”

“Let you all join the League, and put down landgrabbing. Any man who evicts a man, you know how to take action accordingly.”

It was quite unnecessary to give any directions of the course of conduct in the month of November 1885.

Speaker: MR. PARNELL, M.P.

“I tell you this to-day, that whenever 90 honest Irishmen have been returned to the English House of Commons it will be the last time they will ever be returned there.”

I do not know whether that has reference to the honesty or the fact of their return.

“Mr. Nally is a man who has performed great and important services to the cause of the Land League. I believe of him that he is one of the many victims to the infamous system which existed in this country during the three years of the Coercion Act.”



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I think there can be no doubt that referred to the man who was in penal servitude or undergoing imprisonment.

“ I believe he is a victim of the conspiracy which was formed between Red Spencer and the informers of this country. I am convinced he is innocent of all crime, and in a marked degree of the offence with which he was charged, and I consider it is our duty not to rest until we have caused the prison doors to be opened on these men.”

Therefore, if I have made a mistake it makes no difference. It clearly refers to the Nally who was in penal servitude, whatever his initials may be.

“ I have to declare that we shall never accept, either expressly or implicitly, anything but the full and complete right to govern and manage our own affairs, and work for our own nation, and to secure for her, free from outside control, the right to pursue her own course amongst the people of the world.”

Your Lordship knows why I have read that speech. Among other incidents in this case is the Circinnati speech of Mr. Parnell in the year 1880. In the Cincinnati speech of Mr. Parnell he said his aim was to break even the last link that bound Ireland to England or the United Kingdom. Here again we have practically the same sentiment repeated, and your Lordship will find that on many occasions Mr. Parnell has made speeches which will make it impossible to believe that he did not say at Cincinnati that which Mr. Ford attributed to him, and that which he said at a subsequent period on one occasion had not been correctly reported.

Now, at Kiltimagh, in county Mayo, on the 10th of January 1886, Mr. J. J. Loudén, one of the officials, I think, of both the Land League and the National League, made a speech. There was also present Mr. Hastings, of Louisburg, in America, and now your Lordship will see what they said in the presence of the American representative.

## COUNTY MAYO.

KILTIMAGH.

10.1.86.

Speaker : Mr. HASTINGS, Louisburg.

Also present : J. J. LOUDÉN.

“ I know that at one time, and I am not ashamed to say it, that the only manly way to demand our rights was by the flashing sword, but if we come to the conclusion that we should give support to the constitutional leaders of the people, then I, for one, will not cause disunion amongst the people by raising my voice against those constitutional means, if these constitutional means are carried out in such a manner as to block the whole machinery of the House of Commons, until the British Government is obliged to give up those rights out of which we were plundered, but which we shall have to adopt most extreme measures to accomplish our regeneration.

Witness.

Sergeant  
Christopher,  
Reporter.

“ We have, to-day, lying in the prison cell representatives of the men who thought to achieve the regeneration of their country by means that no man can stigmatise as dishonourable, or as being worked by methods of assassination. But yet, because J. W. Nally,”

This again is printed “ P.” W. Nally,

“ Because he at one time thought to teach the people that by the grand and honourable course of confronting the enemies of your race, and deciding the struggle between England and Ireland once and for all ; because he did that the Government strangled him, and by a course of perjury they consigned him to gaol. I tell you that if the people of this country had worked as earnestly for the true principles of liberty as they have worked to get relief measures of distress, they would not have to-day to be sending forth the cry of distress, but they would, like men, risk all to achieve their independence or die for it.

“ Prepare then is what I would advise you for any crisis, for you must remember that there is for every man in this community a sacred trust confided to him by his God, the trust of his country's honour, welfare, and freedom ; the glorious past is transmitted as a sacred heritage to you. You



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“ must perform your part in the struggle for the salvation of the Irish race. I  
 “ tell you to-day that there is a special political emancipation about to sweep over  
 “ this land that shall result finally in the accomplishment of Irish independence.  
 “ (Cheers.)

There we have in that speech the same invitation, the same enunciation of purpose which was put forward by Mr. Davitt when he was in America, and adopted by him as the first plank of the Land League platform. I shall show, my Lord, that on the 19th of January 1886—there are three short extracts I must read—speeches were made by P. J. Gordon and John Redmond at Claremorris. In that speech, in the presence of Mr. Redmond, the names of certain men, Kilkenny, John Walsh, and William Fitzpatrick, said to be landgrabbers, were referred to, and the people were in the strongest possible language told how they could deal with landgrabbers. These men were denounced by name, and also other men who had been guilty of the same conduct in the neighbourhood.

Then on the 21st March 1887, at Ballinrobe, Mr. Crilly, M.P., attended a National League meeting, and Mr. P. J. Gordon spoke in his presence.

## BALLINROBE, COUNTY MAYO.

21.3.87.

Speakers : Mr. P. J. GORDON, Mr. CRILLY, M.P.

Mr. P. J. GORDON

Said “ he felt glorious in the hope that his speech will be in Castle company  
 “ with Mr. Crilly’s, fearless of the consequences of a prosecution  
 “ from the Government. We have adopted the Plan of Campaign  
 “ on the property of Daley, and intend to follow it up until the  
 “ vestage of landlordism is swept from Ireland.

“ Cecil Roche put them out on the road at the point of the  
 “ bayonet. It was then that I came to the front in defiance of any  
 “ British law to help this great struggle.

“ If the glory of England is worth fighting for, the honour of Ireland is  
 “ worth fighting for. I ask you to adopt the Plan of Campaign, no matter in  
 “ what property the land thief has demanded you to pay the full rent.

“ Arise to your feet like men and like women! Try and leave your hand  
 “ on your breast. You are bound, as honest Irishmen, to fight out the land  
 “ thief, and against the bloody British Government.

“ There is another fouler wretch than the landlord—the landgrabber.  
 “ Fight it out manfully; landlords and landgrabbers shall be put into one ship  
 “ and banished. I helped to sole, heel, and welt the land thief, and put a pair of  
 “ toe-caps on the landgrabber. That is my profession, and that I am proud to  
 “ boast of here. I am determined to finish it, and I will fight out that battle  
 “ until Mr. Daly and every other rack-renter in the parish is brought to his knees.

“ I am prepared by one solemn pledge, and that pledge is—to stand by my  
 “ people until landlordism is crushed.

“ Mr. Daly has robbed and plundered the country, and has told them in the  
 “ court-houses, and if we cannot bury him in a small coffin, we will press him in  
 “ a large one.”

Witness.

Constable  
 M. Dee,  
 49679,  
 Reporter.

I can pass all but one representative outrage, I think. There were a great many, I regret to say, in the county of Mayo in December 1886. That was the firing into the dwelling of Michael Gillespie at Ballyduff on the 25th December 1886. I will take only one. I have a list of a considerable number of Mayo outrages at this period, but I do not want to weary your Lordship. In November 1886 a man named Michael Burke was holding a farm at Carrickhill, near Swineford. He got into difficulties and a grocer sued him for his debt. Now, I ask your Lordship just to note this. It has nothing in the world to do in this particular instance with the land agitation, but your Lordship will see how the organisation was used. The sheriff, at the instance of the creditor Moran, sold the farm, and Moran got possession of it, and he put in a small cottier named Michael Gillespie, who had lived on the land for a very considerable



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period. There was no question of any eviction or any taking possession of the land as against the man, except that this unfortunate man Gillespie was put in to take possession when Moran had recovered the farm in the action of debt. In the month of December in the same year they fired shots through Gillespie's window, and they served notices upon him informing him that if he did not cease to negotiate with or have anything to do with the landgrabber Moran for buying Burke's land he would be treated in the same way that other landgrabbers who had existed in that neighbourhood before had been treated. Well, my Lord, I pick that out from among others for the purpose of calling your Lordship's attention to the fact that this tyranny seems to have been made available for any person who desired to complain to those who were in a position to command the services of the ruffians who were in the employ of the organisation, and in this particular case the sole cause of complaint suggested is that the poor unfortunate man having lived in one part of the land in one capacity was employed by the creditor who had recovered his debt simply to take possession of the land on his behalf.

Now, my Lord, I am obliged to call your Lordship's attention to a series of speeches in Galway, from which, I am glad to say, I can make a very considerable expurgation, but there are certain speeches which I think it right to open, as they were made by different individuals, and deal with certain specific cases of outrage, which will form the subject of evidence before your Lordship. I think the earliest in this period are speeches which I will summarise without reading at the present time, at meetings at which Mr. Crilly was present, I will give the dates, the 12th April 1885, Mr. James O'Connor, who was the representative of "United Ireland," Mr. Daniel Crilly, M.P., and Mr. P. J. Gordon, a gentleman I have already referred to being present. I have handed the copies to my friend. Your Lordship will find when they come to be read those particular speeches are principally abuse of the Royal Family and references to the Mahdi. I have a reason for referring to those speeches in connexion with the evidence, which will be put before your Lordships. At Kilcurry, on the 12th April 1885, on the 19th April, at Kilreehill, in the same year, Mr. Matthew Harris appeared making speeches, and he made references to the Mahdi. On the 4th of August there are some, but I need not trouble to read those speeches, I will pass them by. I will pass as many speeches as I can. On the 4th of August there was a meeting at which Mr. O'Connor, of "United Ireland," Mr. Matthew Harris, and the Rev. Dr. Langham, Catholic curate, made speeches.

On the 9th August, at Kinvara, at a Land League meeting, Father Considine, Catholic curate, made a speech, and I only want to read one passage of that speech.

## COUNTY GALWAY: KINVARA.

9.8.85.

Speaker: FATHER CONSIDINE, C.C.

<p>[* "A writer of our time has, with great truth and justice, remarked that  "since the landing of Strongbow, the most dreadful that ever  "invaded a country, there has been hatred against English rule  "in Ireland. What has it done for us? It has ruined our  "markets, our manufactures, and our commerce. That is what  "English rule has brought us since the accursed Cromwell's time down to the  "time of Buckshot Forster and hanging Spencer, and Dublin Castle corruption  "and infamy.] In this great struggle, in which you are engaged, your worst  "enemies are men of your own stamp. The landlords are a bad lot, the agents  "are a bad lot, the bailiffs are a bad lot, and all their satellites, but the land-  "grabber is the worst. ('He is, they are is this parish.') They are; and these  "are the men that are renegades to the cause of Ireland."</p>	<p>Witness  —  Constable  J. Lee.</p>
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On the 10th September 1885 there was a meeting at Loughrea, at which Mr. Arthur O'Connor, Mr. Matthew Harris, Mr. John Sweeney, Mr. J. Kennedy, Mr. Martin O'Halloran, and Mr. Cowley were present. The latter gentleman is one of those whose speeches I read yesterday, of a very violent description. The two speeches I

\* The parts in brackets not read.



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[Continued.]

wish to read are those of Mr. Arthur O'Connor and Mr. Matthew Harris. Mr. Arthur O'Connor said:—

“Though you have been good enough to receive my name with applause, I regret to find that it would almost have been better for me to be denied the name of O'Connor\* when coming to this neighbourhood, for I believe there are bad men of that name around here.\* (Cries, ‘there are.’) Well, I hope if there is one man that disgraces the name he shall have some time or other to feel the displeasure of his countrymen. (Cheers.) While we deplore the sufferings of the people, we have at least the consolation that there is not another district in Ireland has shown any such determined front to landlordism.† (Cheers.) And I hope that same spirit will continue implacable until the battle is won. (Cheers.)

Witness.

Constable  
J. J. Noble,  
Reporter.

“The landlords now receive contempt and opposition; but the snake is scotched, not killed. We have further accounts to reckon up. One commotion is just over, and we are entering on another.

“I don’t live in Kiltulla; if I were I should be ashamed. (Cheers and cries of Lord Dunsandle, and hisses.) You will always find that wherever the organisation of the people is weak or doubtful, there landlordism will soon be raised up again, and you will have evictions, and be once more at the mercy of agents and their understrappers. (Groans.) There is but one thing to be done against all this ruffianly gang; you must stand together and let them see that the people will not allow themselves to be evicted. (Cheers.) You have no right to be evicted. (Cheers.) You must not be evicted.”

I do not know what that can be, except a distinct invitation to persons to resist the ordinary processes of the law.

“Many and many a time you have shown a determined front, and I hope that whenever it is necessary you will be prepared to show that spirit again. I know perfectly well the great brave hearts that beat within those grey coats in front of me. (Cheers.) I know perfectly well you would be ready to shoulder a musket in the cause of Ireland, if she called upon you to-day. (Loud cheers.) There are occasions when what is good at one time is not necessarily good at another; for instance, in 1798, and in latter days, which we won’t allude to.

“Now, one of the greatest difficulties we have had to contend with has been caused by certain kind of outrages. I don’t want to be preaching to you. I can perfectly well understand a man evicted on the road side, seeing his wife and children in ruin and desolation, taking up a gun and shooting the landlord. (Cheers.) I can quite understand a man to whom a puppy of an agent is insolent at once turning on him and giving him a good thrashing. It is about the best treatment he could receive; but, however one may deplore the terrible state of things of which these evils are the natural outcome, anyone can see there is nothing very natural about it. There is one form of outrage, to my mind, most distasteful, and every man of human feeling, of decent humanity, ought to put his face against it, and bring the perpetrators to justice. I mean those men who put aside every feeling of humanity and mutilate dumb beasts. If I saw a man doing it, I would at once arrest that man and bring him to justice. He disgraces his country. I do not believe there are any men about Loughrea who would allow such things as that because I know the men of Loughrea. I know Loughrea has furnished some of the best material in Ireland. (Cheers.) They are men who do the real work when it is to be done. I hope our enemies in England will not be able to point to one of these scenes in this district. There is no need for that. (A voice, ‘Shooting landlords is no harm.’)”

\* Lord Dunsandle’s agent is a Mr. O’Connor.

† Eight murders committed within a radius of about eight miles of Loughrea in three years.



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[Continued.]

I do not at the present time comment upon the distinction drawn by Mr. Arthur O'Connor between the shooting of the landlord and the thrashing of the agent and the killing of animals. The one he deplores, the other he says is about the best treatment they could receive. Mr. Matthew Harris said:—

[The document was put in, and read as follows]:—

## COUNTY GALWAY: LOUGHREA.

10.9.85.

Speaker: MAT. HARRIS, M.P.

Also present: A. O'CONNOR, M.P., JOHN SWEENEY, J. KENNEDY, MARTIN O'HALLORAN, P. COWLEY.

“ In all Ireland there is not to be found a more patriotic, a more energetic people than in Loughrea. (Cheers.) In fact they are so inclined for the work that in these latter days when things are become so cooled down it has been said the men of Loughrea are very little good in the calm but the very best in the storm. (Cheers.) Well, for my part I hope it won't be long until we have another storm, and then the men of Loughrea will come forward in the future as they have in the glorious days of the Land League. (Cheers.) ”

Witness.  
—  
Constable  
J. J. Noble,  
Reporter.

My Lords, Loughrea is one of the places in which there had been several of the very worst murders in Ireland, and that is spoken of by Matthew Harris as being “ the way in which the men of Loughrea came forward as they did in the glorious days of the Land League.”

“ You have facts in this neighbourhood, you have evictions, cruel evictions, landlordism is rising its head once more. It is these and the bad, tyrannical, base exterminators, and the bad acts of the landlords themselves that bid Mr. O'Connor warn you to organise, to organise, organise. If such a scene as that which happened in Kiltulla the other day should happen I would expect, my friends, that every organisation throughout the country should rise up like one man and come to the rescue, and show by public meeting and every other way that they would show the tyrants that if they were crushing down the poor victim he had hundreds of thousands of friends around him. (Cheers.) ”

Your Lordships can well understand the system which these gentlemen were pursuing, that of making the evictions impossible, so that the landlords could not stand the expense, and that the money which the evictions cost was many many times greater than the value of the loss of the rent that was due in order to prevent any payment as rent, and thereby further the scheme that was to drive the landlords from the land by making the land absolutely unproductive in their hands. I do not know, my Lords, whether it will be suggested that those are speeches which are going to be relied upon as telling people not to commit crime. At any rate I think I am justified in the observations I made some few days ago, that whilst it was the exception to make the very faintest allusion to certain grounds of complaint, every statement delivered will be found to be a direct incentive to crime and outrage, and where any observations were made, they were made in such a way that anybody would understand that the crimes to which certain names had been attached were in no way really distasteful to the persons who were making the speeches in which those expressions occurred.

I ought to read, my Lord, two speeches at Ahascragh on the 11th October 1885, at which James Kilmartin, a name that occurred many times the other day, and James O'Connor of “ United Ireland ” were present. James Kilmartin said:—

“ One of the telegrams from America read at the Convention in Dublin had more weight than all their telegrams that came, and that was “ ‘ we send you 10,000/. for bullets, but not a penny for rack-rents.’ ”

Witness.  
—  
J. Connaughton,  
Reporter.



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[Continued.]

James O'Connor said:—

“ Ask the people to stick to their organisation; each man to his part in the fierce struggle they were about to enter upon. They were on the verge of a critical struggle, and he had no doubt the struggle of 1879 and 1880 was nothing in gravity and importance to that which was about to be forced upon the people by rackrenting landlords; our action with the landlords will be much like the badger in the barrel. Every one of you must become a badger, and if the landlord forces you in a corner, I think when he see you have teeth he won't battle to get you out. I think before May next it would be better for them if they had never instructed their lawyers to issue writs. It will be utterly impossible for the farmers to pay the rackrents, or even the judicial rackrents this winter. If they (the landlords) do not come to a settlement with you you can let them go to the devil. What reduction you are to get should be determined by the people themselves. Who can prevent you from rising in church and leaving if a landgrabber enter? The people of Galway are determined to fight their landlords inch by inch and foot by foot.”

At Ballinagloe a meeting took place. I won't read the speeches. I mention it for the fact that a representative of the “New York Irish World” I believe, I will give the name, a gentleman named John Larkin, but certainly from New York, and Mr. Mathew Harris, took part in that same meeting. The date of that is the 18th of October 1885.

At Athenry, on the 26th of October 1885, Mr. Mathew Harris spoke again, and Mr. Dillon also spoke. Mr. Mathew Harris said:—

[The following document was put in and read.]

“ For many years it was in my power to go into the House of Commons, but I shared with my fellow countrymen a strong prejudice against entering that English House; and I wish to tell you distinctly here to-day that if I go into the House of Commons, I go into the House, the citadel of the enemy, and that I do not go there for the purpose of assisting that House or the members of that House, in any effort they may make to oppress Ireland, or any other nationality under English rule. If I go in there it will be alone in the interests of my country, and I shall face them in the interests of our common humanity against that monstrous Government, that Government of iniquity that has done more evil than any Government ever done since the creation of the world. In the future I may not be as free to talk as in the past, for I shall have to guide my course by the advice of the Irish people and the parliamentary party, but in doing so I shall not deviate a hair's breadth from principle. I shall always keep in my mind, first, the independence of my country, and secondly, the total and absolute abolition of landlordism. As to joining the Irish party, if I find myself in such a position after joining it as that in the House of Commons, I could not progress in that direction towards the two great objects I mentioned, I would no more stay with that party in that House than I would remain in a certain place which I won't mention.

Witness.

Constable  
J. Sealon,  
Reporter.

[“ Let the democracy of the country, the Nationalists of the country, get their lines firmly fixed upon a great object—the independence of this old country. Keep a strong determined animus against England in your hearts, and do not mind Englishmen, for they are your enemies. They have destroyed, and are every day endeavouring to destroy you, so that it behoves you, as Irishmen, to keep a firm front against these men, and join together in an organisation throughout the country in every possible way; the organisation may be objectionable in one sense, but as long as it is against England it has good in it.”]

I am not aware that Mr. Mathew Harris is separated from the party on whose nomination he was elected on the ground that he is not able to secure, or take steps to

[\* The part in brackets was not read.]



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[Continued.]

secure the two objects. First, the independence of his country, and secondly, the total and absolute abolition of landlordism. Mr. Dillon said—

“ We are not electing ordinary Members of Parliament, we are electing members of an army, who are to go under a special discipline to carry out the work under enormous difficulty. You must remember ——”

I ask your Lordships kindly to note that.

“ We are carrying out these conventions under the eye of the Irish people in America and all over the world, who are watching to see whether Mr. Parnell is in the same position to-day that he was in some time ago.”

I think your Lordships will have no doubt that Mr. Parnell is in the same position to-day, and continued in the same position, namely, that he dared not break with his allies in America.

“ I received a newspaper from a friend of mine to-day, Mr. Patrick Egan, from Nebraska, in America, and in that newspaper were two columns of most important news from Ireland, that a great new rebellion had broken out in the Irish Parliamentary Party. It was said by Mr. J. O'Connor Power and Frank H. O'Donnell, that Mr. Tim Healy had deserted Mr. Parnell, and that it was expected the Irish people would not further submit to Mr. Parnell's dictatorship. These are the kind of lies that are continually circulated in America. Many poor men in America in the Rocky Mountains, and all over the country, get sick when they read stuff like this, and ask what is coming over the Irish people; but what must be the delight and exultation with which the Irish race in America will read the telegrams that will go forth in to-morrow's papers containing the news that the Galway Convention accepted every name that Mr. Parnell has put forward.

[\*“ They will say to-morrow when they read it, ‘ The men of Galway are sound as when we left them; they are still in their senses and know what they are about.’ When they see us loyal at home they are at our backs. They will see by the choice you have made to-day that you are determined to carry on the cause both at home and in America.”]

I stated to your Lordships, and I do not think it will be ultimately disputed, that the M.P.'s who were returned in 1885 and 1886 were, to a very large extent, a very large proportion of them the nominees of Mr. Parnell, and they were men who had gained his support and claimed his nomination by reason of services they had rendered to the Land League and the National League, and this is a distinct reference by Mr. Dillon to the effect that the nominees of Mr. Parnell were being put forward for the purpose of election for the British House of Commons.

I will only read certain portions, but they will all be printed, of speeches at a very important meeting at Portumna on the 15th November 1885. Mathew Harris, James Lynam, and Mr. James Kilmartin were present. Your Lordships will remember that James Kilmartin made a great many speeches, which I read, in some of the other counties. James Lynam was also a man who was sent down by the National League, and the Land League as well, but certainly the National League. I do not wish to read all Lynam's speech, but there are two or three passages in a speech delivered by Mr. Lynam which are certainly worthy of some notice, as it was delivered in the presence of Mr. Harris. This is James Lynam.

[The document was put in and read as follows] :—

<p>[*“ It is a proud sight for any Irishman to see assembled around this platform such a splendid display of the manhood of the grand old county of Galway and gallant Tipperary. The earnest looks you wear show that you are determined to perform the work that is before you. I would like to see just now on the other side Dr. Parker of the ‘ Express ’ and his crowd of ragamuffin bankrupt landlords, tipstiffs, and bailiffs,</p>	<p>Witness. — Constable J. J. Noble, Reporter.</p>
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\*Part between brackets not read.



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[Continued.]

“ landgrabbers, grassgrabbers, and emergency men. This class, Dr. Patten and  
 “ the ‘Express,’ they think they can pierce the shield of Mr. Parnell, but they  
 “ don’t for a moment suppose the metal that shield is made of. It is made of  
 “ the best stuff, of the true-born hearts of Irish born men, and the breastwork  
 “ that surrounds Parnell to-day, the bulwarks that surround him, are the breasts  
 “ of Irishmen and not the bayonets of the English Government. And before this  
 “ rabble rant will ever make a breach in that breastwork, Parnell’s patriotic  
 “ hands will run up on the flagstaff of this country the free unsullied flag of a free  
 “ and independent people over the heads of a devoted race. Well, I suppose you  
 “ have all heard of the grand show that is performing across the Channel in these  
 “ days; Mr. Gladstone is the chief ringmaster. He is performing; he is in some  
 “ place called Midlothian; I believe it’s in Scotland, and he imagines he is going  
 “ to befool the Irish people, dressed up as he is in all the paraphernalia of a  
 “ politician. There is another kind of game that I don’t like. It is carried on  
 “ over in Spain, where they bring in a bull or an ox to the arena, and they dress  
 “ up his horns, they put a cloak around him and throw a red rag across his eyes,  
 “ and get the bull to perform all kinds of manœuvres, and then they kill him. I  
 “ think that is what Mr. Gladstone is at the present time. You know that in  
 “ these great shows there are all kinds of fellows, harlequins and clowns, going  
 “ on with their tricks and tumbling, but don’t you be deceived by this class of  
 “ louts. You have a programme of your own; you have a leader of your own,  
 “ a brave and gallant leader, C. S. Parnell. Don’t mind the antics that Gladstone  
 “ is performing, don’t mind them. You have experience that they never hold  
 “ out the olive branch but some selfish motive was their interest. Don’t mind  
 “ the policy of English statesmen at the present time.]

“ I know well the responsibility that I incur in addressing you here to-day.  
 “ In the first place I address you as one of yourselves, one of the people. I know  
 “ that every word I speak may be watched and thrown in the face of my great  
 “ leader and chief, Parnell. I am proud to call him my friend who is now doing  
 “ 10 years’ penal servitude (cries of ‘Nally’). Well, at that time the ‘Irish  
 “ Times’ attacked Mr. Parnell, and they said the class of men he backed up  
 “ were the men who were encouraging outrages. Now, Mr. Nally never  
 “ encouraged outrages; my friend ‘Scrab’ did that, and he knew what he was  
 “ about. I will tell you what Mr. John Stuart Mill said about the shooting of a  
 “ landlord. It was in reference to a great charge that the English ‘Times’  
 “ brought against Mr. Parnell, saying that the men he was taking into the House  
 “ of Commons were the men who were encouraging the shooting of landlords.  
 “ John Stuart Mill said that the shooting of a bad landlord was an act of defen-  
 “ sive warfare. Well, how can a man who had nothing left but his potato, and  
 “ see that potato taken from him, and nothing left for the comfort of his family,  
 “ be looked upon as anything else than acting on the defensive. Now, I would  
 “ like the Government notetaker to take that down. Pat Nally never encouraged  
 “ in any way what John Stuart Mill justified; but now I will ask you, let you com-  
 “ mit no outrages, and I hope I am not insulting you, because I know you are men.  
 “ I can see by your earnest faces that you are, and, as I said, you understand  
 “ your responsibility. Commit no outrage; what I mean is this: don’t be burn-  
 “ ing hayricks or strawricks; don’t be cutting the tail off a mule jackass, and  
 “ things like that I mean, when I am talking about outrages, but I am not  
 “ going to tell you that you should not boycott a landgrabber.”

I hope I may be allowed to pause a moment, and point out again the extraordinary way in which this was thoroughly well understood by the speakers. They knew perfectly well what boycotting a landgrabber led to, and what it meant, and the contrast is between burning a hayrick and cutting off the tail of a mule jackass and boycotting the landgrabber, the person who is supposed to be entitled to their vengeance.

“ I do not want to hurt the susceptibilities of any gentleman in this crowd,  
 “ but I was born a Catholic. I was often told by my mother that it was a safe  
 “ practice when passing by one of those lonely bushes, said to be the homes of  
 “ fairies, to put the Cross of Christ on my forehead. So when you meet a land-  
 “ grabber on the road a very safe practice for you, gentlemen, would be to put



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“ the Cross of Christ on your forehead. And also, when you meet one of those  
 “ cowardly, sneaking low-lived curs that goes sneaking to the big fellows, that  
 “ they might get into their graces, do the same thing, put the Cross of Christ on  
 “ your forehead.”

Then follows other references to Mr. Parnell and his struggle for freedom across the sea. That will appear in the print.

[Document, but not read.]

\* [ “ I ask you as Irishmen to stand up like men, and when you go home let  
 “ every man get a spade or a shovel and dig a fine deep grave for landlordism,  
 “ and put a good ‘ scran ’ on it, so that it will never come to the surface of Irish  
 “ earth again.

“ The English Government have a lot of bayonets, and they are going to  
 “ increase their army ten thousand men. Well, let them, if they like, they may  
 “ want them somewhere else yet. If we get writs we will watch them well. Let  
 “ you sustain Mr. Parnell in his struggle for your freedom, and if they prevent  
 “ him there will be other men and other times, and England will not always be  
 “ out of trouble. A revolution may be raised in India, and the people of this  
 “ country might open their ears to the sound of the trumpet’s blast across the  
 “ sea. True, we are only four millions, but recollect there are twenty millions  
 “ scattered over the face of the earth. By Clanricarde and his class you are told  
 “ that it is an impossibility to gain your national independence. Nothing is  
 “ impossible to a brave, devoted race. I am a follower of Parnell’s, and if he  
 “ gets justice to the Irish people it is all well, no matter through what channel it  
 “ comes. Liberty to the people. We must accept it. I am the father of a  
 “ family, and three of them are fine, stout red-haired boys, and if he does not get  
 “ justice for Ireland, and if it pleases God, if he gives them life, I will give  
 “ them other instructions to what I am giving them now, and I hope the father  
 “ of every family will do the same.” ]

I will read Mr. Mathew Harris’s speech first, and then what] this gentlemen said again. Mr. Mathew Harris spoke and he said—

[The document was put in and read as follows] :—

“ It behoved them to come together and ally themselves one	Witness.
“ man with another, to put a bold, a stern front against land-	—
“ lordism and the agents of landlordism in this country. All around	Constable
“ they see signs of the clouds breaking ; they see every indication	Noble,
“ that in the near future their country shall be different and their people in a	Reporter.
“ different position, but that should not for one moment prevent them from	
“ striking at the tyrant that is at their door.	

“ Counsell’d the tenants of Lord Clanricarde to meet together and draw up  
 “ a document containing their demand for a fair reduction of rent, to keep clear  
 “ of agents and bailiffs, to present this demand to Lord Clanricarde, and if he  
 “ refused to grant the abatement demanded to put the money in the bank.

“ They have all heard from Mr. Gladstone himself that in the near future  
 “ they will have a Parliament of their own. When that is granted there will be  
 “ a great deal of those small claims broken, and they will have nothing binding  
 “ them to England but the golden link of the Crown, and it is very doubtful if  
 “ that link will go much further than Her present Majesty’s reign. At all events  
 “ the English people are day by day crying out for a Republic, and he trusted it  
 “ would not be long until England have a Republican Government ; and he  
 “ thought they would all regret if anything would change the present form  
 “ of Government. And if anything should happen to Her Majesty the probability  
 “ is they would all go into mourning. He knew it would have a terrible effect  
 “ on himself ; but he had gone through a great deal in his time, and he thought  
 “ he would get over that too. He thought he knew a few of his national friends  
 “ who would get over it also. When Charles II. was restored to his power in  
 “ England it is mentioned by his historian that several parties died of joy. He

\* Part between brackets not read.



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[Continued.]

“ supposed there would be a lot of people dying with grief in Ireland if Her Majesty’s reign ends. However, he would be able to survive it.

“ It was their abhorrence of tyranny and injustice, their abhorrence of slavery, that had stood to them in their struggle for justice. If they only stick together the day is not far distant when they will be able to tear down Dublin Castle to its foundation. They will be able to level it to the dust, and erect a statue of liberty in its place, and they will have it there as an emblem of how they have levelled the power of England in this country.”

His speech is nothing very fresh. It is a little more historical, however, than the previous utterances of Mr. Mathew Harris; but at the end of his speech Mr. Lynam came forward again at the same meeting, and he said:—

“ He was a young man yet, and if they had his way of thinking they should have rifles in their hands, because, if they had an opportunity, the true heart, the strong arm of the poorest man in the crowd, could pierce a tyrant’s heart twice as soon as the speech of his friend Mat. Harris. Don’t be cutting the tail of a jackass or burning straw stacks. When I speak of a jackass I don’t mean a landlord. Cut the tail off the landlords as soon as you like. Devil a much of a tail the landlords have left.”

I think your Lordships will judge what the effect of language such as that would have on these people, when a comparison is drawn between animals not to have outrages committed upon them and the landgrabber and the landlord, who is.

I also put in—I need not read it at present—a speech of James Kilmartin at the same meeting, on the 15th November 1885.

[The document was put in, and is as follows]:—

<p>*[“ We have our wives and families, whom we love, and would it not be a fearful crime if we, through weakness or cowardice, allowed our families to be cast out on the roadside, whereas we can keep them in their homesteads? Keep a firm grip until such time as an Act of Parliament will be passed that will compel every landlord to sell out at one half the present rent they now receive. That time will assuredly come, my friends, and let them evict as many as they like. If you are evicted, go back the next day, and if they summon you for trespass, go into gaol, and let your wife go into gaol, like Mick Fallow.</p>	<p>Witness. —— Constable J. J. Noble, Reporter.</p>
<p>“ Keep up this determination, every man of you, and you will find there will be very few backsliders. If you find any of this body, do as my friend Lynam told you; when you meet him put the Cross of Christ on your forehead, and, believe me, you will have very few of this class of people in the country.”]</p>	

At Gurteen, County Galway, on the 29th of November, Mr. Sheehy spoke, and Mr. Mathew Harris. Mr. D. Sheehy, M.P., said:—

“ We have two battles to fight; one is to fight against this class (landlords and landgrabbers), and the other against the English Government. The landlord class will support the English Government in keeping the red banner of England over this country for many a day to come. Little as our forces in Ireland are, great are the forces that the scattered sons of Clan-na-Gael bears in other countries. And all these forces are with us to a man, ready to send us their dollars, aye, and to back their dollars with men, if need be. We should show them that, like our forefathers of old, we are determined in this great crisis that nothing shall mar our progress, come weal or woe, never to pause in our endeavour until we have won back from that hostile power that now controls us the rights of Ireland to independence—national independence.”

Then Mr. Mathew Harris makes a speech, which I put in. I need not read it to your Lordship at the present time.

\* The part between brackets was not read.



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[Continued.]

[The document was then put in and is as follows] :—

\*[“ I am not greatly interested about the Empire. England is big enough  
 “ for Englishmen, and I would not give them as much ground  
 “ outside their own country as would sod a lark, if I had the  
 “ power. The man living in India is our brother in the great  
 “ sense of the word, and it is our duty, if he does not get fair  
 “ play, to smash that empire into smithereens, and to give these  
 “ people the right to govern their own country. I shall endeavour to bring  
 “ about such a state of things in this country that, instead of men going beyond  
 “ the Atlantic and turning their intelligence to build up the American Republic,  
 “ we will have a republic of our own. They will be able to build it up so that  
 “ no power on earth can ever pull it down again.”]

Witness.

—  
 Constable  
 J. J. Noble,  
 Reporter.

Now, on the 18th September occurred the speech of John Roche, which has been referred to on more than one occasion, in which he referred by nickname to an unfortunate man named Finlay.

[Document put in and read, and is as follows] :—

## COUNTY GALWAY: WOODFORD.

18.12.85.

Speaker: JOHN ROCHE.

The landlords had their “ Balaclava ” serving processes, but  
 the people would have their Fontenoy.

Witness.

—  
 Sergeant Courcey  
 (Longhand).

I have not mentioned Finlay's outrage yet, because it is incidental. John Roche said, “ The landlords had their ‘ Balaclava ’ serving processes, but the people would have their ‘ Fontenoy.’ ” I am informed, my Lords, that the Irish people always considered that the battle of Fontenoy was a victory of the Irish over England. Balaclava was the nickname of this unfortunate man, who was very popular with the people in the place, very friendly. I think he was known by the name of Balaclava because he had been an army pensioner, and I suppose his reputation was that he had taken part in the battle of Balaclava. Now, if you will bear with me a moment, I will just pass one or two speeches. I wish to call attention to the speech of Father Egan, Catholic curate at Woodford, on the 6th December 1885, at Ballinagar. There were several other persons present at that meeting. I am not sure that I can give their names at the present moment, but Father Egan was a very well-known gentleman at Woodford. I want to call your Lordships' attention to this passage in Father Egan's letter.

[Document put in.]

## BALLINAGAR, CO. GALWAY.

6.12.85.

Speaker: FATHER EGAN, C.C., Woodford.

\*[“ If we find the handsome and accomplished gentleman over the road  
 “ (groans) going about from one mansion to another, and then,  
 “ after comparing notes of rent, shutting his hall door in the  
 “ face of his tenants, headed by their priests and their respected  
 “ parish priest, Father Calligy, and having the intolerable im-  
 “ pertinence to instruct his factotum, Downey, not even to bring  
 “ up a message from the priest and tenantry, telling them that if they went up  
 “ one by one he would receive them and take the rents from them. When that  
 “ happens, can any sensible man come to any other conclusion than that the other  
 “ landlords are utilising him to fight their battles ?]

Witness.

—  
 Constable  
 J. Scanlan,  
 Reporter.

\* Parts between brackets not read.



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[Continued.]

“ Our people have been exterminated. Mr. Chamberlain told us the other day  
 “ we were only four millions ; but beyond the Atlantic wave, in far distant Aus-  
 “ tralia, and in the hearts of the manufacturing towns of England, our Irish  
 “ brothers live. They are true sons, and they are in sympathy in heart and soul  
 “ with us if we strike for Ireland (cheers), and, thank God, we have a base of  
 “ operations outside the reach of English law. That was the spirit of the old  
 “ Land League, it is a greater strength of the National League, and, I believe  
 “ myself, that, with the spirit that is in our people here and abroad, it is but a  
 “ short outlook until we see the sunburst of green Ireland shooting forth in all its  
 “ glory ; and if any miserable clique, a few individuals—a hundred or two, as we  
 “ see by the elections—think they can stand in the way of a nation’s progress, we  
 “ will tell them to get out of the way or be crushed to the earth. [\* We will tell  
 “ them we are determined to go on, that we have counted the costs and have  
 “ made sacrifices, and that we are prepared to pay these costs and make sacrifices.  
 “ We may get hard knocks, some of us, but

“ On the cause must go,

“ Amidst joy, or weal, or woe,

“ Till we make our isle a nation free and grand.”]

My Lords, there are two or three speeches in the year 1886. It is important I should call attention to a speech of Mr. Tully on the 14th March 1886. Tully was the man who got the name of “ Doctor.” He was a working man, but he was a man who on repeated occasions recommended the people of Ireland his pills, and he indicated he had pills in a bottle which he kept which, whenever they were administered, his patients nevermore required any more medicine of any sort or kind. And he was called “ Dr.” Tully. At the commencement of the meeting he referred to his famous recipe for pills. That is too a speech at Tynagh, County Galway. I shall show your Lordships he was constantly speaking on other occasions, too, when Matthew Harris and several other persons, and those gentlemen whose names are mentioned in the particulars, were there.  
 [Document put in and read.]

Tynagh, County Galway,  
 14th March 1886.

Speaker : FRANCIS TULLY (Cloncoe).

Francis Tully said,

“ I will first commence with landlordism ; the landlord of  
 “ this soil is not now alive, and where is he now ? The note-taker  
 “ cannot tell. We fought a battle there in Woodford honourable  
 “ in the broad daylight. Well, talking about landlords’ minions  
 “ and tools, no surrender to a tyrannical landlord, or to Tom, Dick,  
 “ and Harry. My heart is beating now to do away with landlordism. (Longhand notes.)  
 “ I stand here to-day—I am paid for standing here to-day, though  
 “ I am a doctor too.”

Witness.

Sergeant  
 W. Keegan,  
 36,874,

I think your Lordships will have no doubt, practically speaking, who paid Dr. Tully.

“ I have my diploma here in my hand. I tell you this about Tommy ; what is  
 “ he doing prowling about the country ? They will do anything that Tommy tells  
 “ them. When you did not bring turnips he will say, ‘ I want my rent.’ There  
 “ is another man, Clark, that despotical despot. How dare he, Clarke, the  
 “ despotical despot, come here ? I dare that man to come forward. Is there any  
 “ man here to support him ? He was a friend of mine once, but I found him out.  
 “ I challenge any man to vote for him. and if he does, so help my God, I will use  
 “ my medicine on him (cheers), and I will use it. I did not give it to any man  
 “ here yet. If ye want to give him a dose, apply to me and I will give him a cure.  
 “ The McDonaghs grabbed that farm there in Drimna : they sheriffed out my  
 “ sister ; I challenge them to surrender that farm now at once.”

“ The chairman here interfered and objected to the speaker’s remarks as he  
 “ said he would be responsible, as also did Tim Clarke, who told Tully to go away.

\* Parts between brackets not read.



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[Continued.]

“ Tully said he would not go ; that he would be responsible himself. Tim Clark  
 “ then asked him to withdraw the expression, which Tully said, ‘ I will withdraw  
 “ it.’ I call upon the tradesmen, smiths, and carpenters not to speak to him.  
 “ You can use the medicine that I will give you—any man can use it—a boy can  
 “ use it. If a mild dose does not do, give it to him strong, and if he dies  
 “ in a field bury him there. I am standing as a soldier here to-day, and I did not  
 “ care if my head was blown off. I call for a show of hands for Cunningham. I  
 “ see some of them not putting up their hands. Take a note of them. I promise  
 “ whoever I give my medicine to he must give me a guarantee that he will use  
 “ my medicine on the proper men. I tell you my medicine made policemen walk  
 “ through bogs and mountains. Don’t allow any man in this parish to vote for  
 “ that despot.”

I suppose it will be, or may be, suggested by those who either were present or knew of the speeches of this character being delivered that it was of such a character it had no effect, but certainly the history of the issue of the last few years in Ireland would negative that suggestion altogether.

*Sir C. Russell*: Who was the chairman?

*The Attorney-General*: I will try and find who the chairman of that meeting was. There were meetings also held at County Galway by Mr. Matthew Harris and Mr. Lynam, a man I have referred to. On the 26th of September 1886 there was a meeting at Portumna. There were present, Francis Tully, Martin Egan, Matthew Harris, John Roche, Patrick Keary, Thomas Burke. I put those speeches in. I do not read them at present, but can hand copies to Sir Charles Russell.

[The document was put in and is as follows, but was not read.]

## [COUNTY GALWAY: PORTUMNA.]

26.9.86.

Speaker: Mr. LYNAM.

“ Let every coward, and every slave, and every knave, and every heel rubber  
 “ that would support landlordism do as he liked. It did not  
 “ much matter, because Irish landlordism would go down with  
 “ the curse of the people on its head, even if every member  
 “ on Clanricarde’s property paid his rent ten times over. There  
 “ are only two roads now left in Ireland, the backstairs that goes  
 “ to the Castle, and the road that goes with the people, and he was afraid there  
 “ were a good deal of Dublin Castle men in Portumna. He owed no grudge to  
 “ any man, but he never would spare any man when he had deserted his cause.  
 “ He knew they were getting the spy and the pimp, and the rent-office terrier.  
 “ They were humouring him to-day, and humouring Lord Clanricarde, because  
 “ they would not rub skirts to Mat. Harris. They might do what they liked,  
 “ but he knew what he would do with those men; he would boycott them.  
 “ There had been too much of this thing going on; there had been too much  
 “ scheming. He did not care if it was the highest authority in the land, pope  
 “ or layman, he could prove that boycotting was justifiable.

Witness.  
 —  
 Sergeant Doyle,  
 Reporter.

“ They had it in Holy Writ that when our blessed Lord met the money  
 “ changers he turned them out of the Temple, and why could they not put the  
 “ people out of their society who were drinking the life-blood of the people.  
 “ They ought to rise up and assert themselves, and not let those beagles of  
 “ Clanricarde’s Lewis have it on one side. Look at their friends in America.  
 “ He knew that if they knew that they were the cowardly people they were they  
 “ would not send one dollar to support them.



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[Continued.]

Speaker: MAT. HARRIS, M.P.

Also present: Francis Tully, Martin Egan, Patrick Keary, Mr. Lynam,  
John Roche, Thos. Burke.

“ Why had they not the priests of Portumna there to-day? That was a fair  
“ question. Our Saviour said, ‘ Me you have not, but the poor you have always  
“ with you.’ Why did they not show themselves there to-day on the side of the  
“ struggling tenant farmers, to say universally—was it not time for them—to say  
“ to the English Government thus far shalt thou go and no farther. We prefer  
“ death or imprisonment rather than let you suffer. The first duty of the shepherd  
“ of the flock was to save the flock. If, instead of being on the side of the flock,  
“ he goes over to the side of the wolf the wolves that in that country alone had  
“ exterminated half of the people of that country, that had taken every acre of  
“ good land and given it to the graziers, why did not those men come forward,  
“ and say at the last moment, ‘ We will be with the people;’ and while instead of  
“ that, this great Catholic nation should be ruled by tyrants or exterminators?  
“ The shepherd that would not save his flock he ought to give over his crook to  
“ somebody else that would do it; and what was more, it was their duty to see  
“ that he did it.

“ What sort of a class of people were the Lewises? Those people had been  
“ brought up often and often in the House of Commons, but no one knew  
“ anything about them. He stood up and told them in the House of Commons  
“ what they were, and what Blake, that put Father Fahy in gaol, was; that they  
“ were a mere excrement of the people.

“ Let every man become a member of a branch of the National League, and  
“ when they did, let them elect a good brave man as president, and secretary, and  
“ treasurer, and they would yet be able to crush down landlordism all over the  
“ country.”]

Now, I wish to read to you a speech of John Dillon’s of the 16th October 1886 at  
Loughrea. [Document put in and read as follows:]

## COUNTY GALWAY: LOUGHREA.

16.10.86.

Speaker: J. DILLON, M.P.

“ Who said that the whole secret of the power of the people lay in the fact  
“ that an evicted farm must not be touched, and whenever it is  
“ touched it is the duty of the people to bring to bear upon the  
“ individual who is traitor enough to touch it the influence of the  
“ public opinion of his neighbours to make him feel so long as he  
“ betrays his people he will be detested by every honest man.  
“ (Cheers.)

Witness.

Constable  
J. J. Noble,  
Reporter.

“ Let the soil of Ireland be owned by men who live in Ireland, the men who  
“ love Ireland and desire to see their country free. When they have brought  
“ about this state of things, when they have put the landlords down, these wretches  
“ who have trampled upon every effort in the past, when we have put them down,  
“ then, I say, that Irish liberty will be won, and it will be for the Irish people to  
“ say what amount of liberty they want.”

Now, my Lords, on the 19th of October 1886 there was a meeting at Cappacon,  
Woodford, if that is the right name, County Galway, at which Mr. Sheehy, M.P., was  
present, and the famous “Dr.” Tully. And in reference to the suggestion of these  
gentlemen named, not knowing what kind of language Mr. Tully was using, I will ask  
your Lordships to let me read Mr. Tully’s speech in the presence of Mr. Sheehy.

[The following document was put in and read:]



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[Continued.]

## COUNTY GALWAY.

CAPPACON, WOODFORD.

19.10.86.

Speakers: Mr. F. TULLY, LORXANN, Mr. J. SHEEHY, M.P.

Mr. F. Tully:—

“Declared to God he hated landlordism and their tools. Does blind Lewis  
 “and Downey call to your houses now? Cut off Lewis’s supplies and  
 “cut off Downey; and if any man at this meeting breaks through  
 “the resolutions passed here to-night I will give him a dose of  
 “my medicine, and if the usual dose given does not do I will make  
 “it stronger; and if that does not do, I will give him pills as hard  
 “as ever he got in his life.”

Witness.  
 —  
 Head Constable  
 F. Reynolds,  
 (30696)  
 Longhand notes.

And Mr. D. Sheehy, M.P., at the same meeting, said—

“Mr. Lewis was the son of a tigress who could always gauge to the very  
 “farthing what could be squeezed out of the impoverished tenants. They might  
 “as well go in for a sheep as a lamb, and were they prepared to go out when the  
 “sheriff would go to their doors? He had many ways of assisting them, but  
 “before he put the iron in the fire to strike on the anvil he wished to know the  
 “horse he had to shoe.

“There are only two links that bind you: the first is landlordism, and the  
 “second is foreign rule; break the first and the second falls to the ground.”

On the 21st November 1886, at Kylebeg, in the county of Galway, Mr. David Sheehy,  
 Member of Parliament, spoke.

[Document put in and read is as follows:]

## KYLEBEG, COUNTY GALWAY.

21.11.86.

At the above meeting, DAVID SHEEHY, M.P., amongst other things, said that—

“He could not congratulate the people on their League  
 “principles, seeing that they permitted a grabber to move among  
 “them for five years. He believed that if there was a proper spirit  
 “this grabber would have been long since brought to his knees. It was evident  
 “the people had not made it hot enough for him.”

Proved by  
 J. J. Noble,  
 R.I.C.

I shall have to call your Lordships’ attention to a matter, or evidence will be given  
 if I do not happen to mention it, in reference to a man named Kennedy. The meeting  
 was held near to Kennedy’s farm, and Kennedy you will find was summoned before the  
 Land League, and certain proceedings were taken with reference to the matter, because  
 it was supposed he had been five years among them, they are pleased to call him a land-  
 grabber.

Then Mr. Sheehy made a speech, which I will put in without reading. On the 21st  
 of November 1886 he made two speeches the same day, one at Kylebeg and the other  
 at Killimore.

[The document was put in, but not read, and is as follows:]

## COUNTY GALWAY.

KILLIMORE.

21.11.86.

Speaker: D. SHEEHY, M.P.

“Told those present to have nothing to do with landgrabbing,  
 “but to take the advice given to them this day by their leaders.  
 “Stated he was sorry to hear there were so many landgrabbers  
 “in the district around him, and alluded to landgrabbers in buttons  
 “on the tails of their coats and coxcombs on their hats.

Witness.  
 —  
 Sergeant  
 D. Clements.  
 Longhand notes.



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[Continued.]

“ Referred to two old bachelors, and told the people to have no intercourse with them, stating that they knew how to treat them in future after the advice they got this day.”

Then I will call your Lordships' attention to a speech of Mr. Matthew Harris of the 19th December 1886 at Aughrum, County Galway. I need not read it; I will put it upon the note. There is one passage to which I wish to refer, and that is this: “ He alluded to landgrabbing as the greatest curse in the world. It is such a curse that the man who commits himself on the supposition that he is not committing landgrabbing, and being accused of it, he has to go before the branch and clear himself, and do whatever they desire him to do.” I do not know whether it will be suggested after that that these speeches of Mr. Matthew Harris were not in connexion with the National League where the distinct statement was that “ if a man did not give up, he was to go before the branch and clear himself, and do whatever they desired him to do.”

[The following is the document that was put in but not read]:

## AUGHRUM, COUNTY GALWAY.

19.12.86.

Speaker: MR. MAT. HARRIS, M.P.

MR. MAT. HARRIS,

## Resolution:

“ Proposed by Mr. R. F. Walker, Ballinasloe, condemning the action of the Government in their treatment of the pure-souled Mr. John Dillon, M.P., in his present state of health, pledging the people to take united counsel and action according to the Plan of Campaign:” and pledging the people to hold no communication whatever with landgrabbers.

Witness.

Constable  
J. J. Noble,  
Reporter.

Said it was their bounden duty as men to stand together and abide by the Plan of Campaign, and to defy the Government, and to defy the landlords and every enemy of justice, because they (*i.e.*, the people) stood on the side of law and on the side of the Constitution; they stood upon higher grounds than ever the English laws gave a man to stand on. (Cheers.) They had assembled there to maintain their position and to confront both the Government and the landlords in the assertion of their rights.

We are involved in a terrible fight, and the fellow that won't stand up like a man and fight the battle of his country against these wretches, had better stand aside at once, and instead of green cards I see upon your hats, the time will come when a white card will be put upon his hat, on which will be the words, “ Coward and renegade to the Irish cause.”

Referring to the prosecution of Mr. O'Brien, M.P., and others for their participation in the Plan of Campaign, the speaker said, “ The fiercest storm is not more merciless than the tyrant that is oppressing us, though they shrank from the contest between W. O'Brien, John Dillon, and themselves.” (Cheers.)

Recommended the adoption of the Plan of Campaign. “ The tenants on the various estates should ask what they like and stand by it.”

Alluded to landgrabbing as the greatest curse in the world,” and said further, that “ it is such a curse that the man who commits himself on the supposition that he is not committing landgrabbing, and being accused of it, he has to go before the branch and clear himself, and do whatever they desire him to do.” (Cheers.)

Then Mr. D. Sheehy, M.P., made a speech, of which I will put in a copy.

[The following is the document put in, but not read]:

“ We have experienced that a truculent Government will always find a willing tool on the Bench to declare anything in the interests of the Government and in hostility to the people. So it was the Judge O'Brien (groans) declared that such a proceeding was illegal, and on his *ipse dixit* the Government are using the power at their disposal now to attack our Plan of Campaign, and trying at the last ditch to rescue the tyrant landlords from our grasp. (Groans.) Are there



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[Continued.]

“ not a few loyal men in every townland in Ireland? If there are, they can carry  
 “ out the Plan of Campaign quietly and calmly. If they do, it will take the  
 “ English Government, and all their policemen, and all their redcoats to save the  
 “ landlords, if you one and all have confidence in each other. Let me tell you  
 “ this, and bear it well in your minds, that the fact of Lord Castlereagh pro-  
 “ claiming the Plan of Campaign illegal, does not make it illegal no more than if  
 “ I proclaimed it. The Lord Lieutenant’s ‘Whereas’ has no more effect as  
 “ making an Act, which is otherwise legal, making it illegal than if I had done it.  
 “ He may proclaim such a thing will be illegal. We will try it out with him.  
 “ Every man who is not with you is against you. If he does not take action with  
 “ you, you may as well regard him as a tool of the landlords. I confess to you, if  
 “ you do not know it before, I have no love for grabbers. I am invited by a  
 “ district inspector to appear at the petty sessions in my own town, because I have  
 “ spoken unamiable words of a certain grabber in a near district. (Groans.) I  
 “ say to the men of Shillagh and Teenagh Killinure, to the men of every part  
 “ around that district, that it is a shame for them, a scandal in their midst, that  
 “ this man should continue on louting (*sic*) in public opinion, and the desires of the  
 “ people to have peace in their midst for the sake of the miserable little pittance he  
 “ could scrape off the Widow Dempsey’s farm. It is easy to have a shout raised  
 “ in a crowd, but it is not easy for the people to get that grabber to understand  
 “ he is acting contrary to the public opinion. Here, to-day, I reiterate every  
 “ word I said in Kylebeg, and I ask the people never to drop the curtain until  
 “ Kylebeg is in possession of the rightful owner of that little farm, and that  
 “ rightful owner is not Kennedy, but Dempsey.”

Father Cohen was present at that meeting, and it is very important just to notice that Mr. Sheehy there said he—

“ Repeated all that he said at Kylebeg with respect to dropping a curtain on  
 “ that subject until Kylebeg is in possession of the rightful owner of that farm,  
 “ and that rightful owner is not Kennedy, but Dempsey.”

I can end the Galway speeches at this point.

[The Court adjourned for a short time.]

*The Attorney-General:* It is only necessary for me to call attention to, I think, three outrages in Galway out of a considerable number that happened in the year with which I am now dealing. My object in calling attention to those is to direct the attention of my learned friend’s mind to them on the other side, and also to show your Lordship how I propose to connect the outrage directly with the speech of Dr. Tully, which was made in the presence of other members of the Land League, in which the mode of treatment of obnoxious persons was referred to. Your Lordship may remember a speech in which it was stated that the Irish people had their Fontenoy, and that they, the persons of Woodford who were being addressed, had their Balaclava. My Lord, that man referred to, as I stated, by the name of “Balaclava” was a man named Finlay. He was a man who, although a process-server, had lived there, I think, some 20 years, and had been on friendly terms with the persons there. He was a pensioner, and simply used to supplement what little living he had by from time to time being employed to serve processes in the operation of law. I hope it will be a long time before it can be seriously suggested that simply carrying out in any humble capacity the execution of the law is to subject a man to such perils as many of these poor men have been subjected to in Ireland. Your Lordship may remember that at one of the meetings at which Tully was present, John Roche was present and made the speech to which I have already again made allusion by reference to “Fontenoy” and “Balaclava.” Shortly after that time Dr. Tully was in gaol. A meeting having taken place on the 26th December 1885, Finlay’s windows were all broken. No harm was done to him. On the 27th December another meeting of the National League took place, at which short speeches were made. Father Egan, the Catholic curate, or, I think, the parish priest, and Father Fehy spoke, and John Roche, the same man who had been present at the meeting at which Tully spoke, said—

“ Our doctor is in gaol, but we have a receipt for more powerful medicine,  
 “ one dose of which, if properly administered, is stronger than ten of the doctor’s  
 “ bottles.”



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[Continued.]

and Father Egan and Father Fehy both spoke, and told the people not to recognise persons who would support emergency men or police, and to stand determinedly together. In the month of February, Finlay, under police protection (for he had been previously boycotted for about a year), was engaged—I think he was not actually engaged in serving processes, but he in some way thought he could go out without the protection of the police. That was in February 1886. On the 3rd March 1886 he went to get some wood from an adjoining wood near his house. He was then shot, his jawbone being broken by a bullet, and there being several pellet wounds as well in his body. The person from whom, under ordinary circumstances, the coffin would be obtained was a man named Carey, the secretary of the National League. Other persons also connected with the League declined to supply any materials for a coffin. His widow was boycotted, and nobody would give her either food or fire, or any assistance of any sort or kind. My Lord, I can only ask your Lordship to consider, when you deal with this organisation to which I have been referring, what are the consequences of such speeches, and whether it is possible after that to allege that the more violent the speech the less likelihood of there being dangerous consequences arising from it.

My Lord, in the month of May in the same year, William Conway, of Curragh, cut some turf for Sir Henry Burke. He had resided in the neighbourhood for a long time. No objection of any sort or kind existed so far as the man was concerned, but the National League at Woodford had issued a notice calling upon the people not to take grass lands or to cut turf for any landlords. It was stated that William Conway cut some turf for Sir Henry Burke, and on the night of the 15th May the whole of his out offices—he was quite a small man—were set on fire, and all the little stock he had, pigs, goats, geese, and hens, and his outhouses, were all burnt to the ground. My Lord, there are several other instances in connexion with the county of Galway as to which we shall give your Lordship evidence, and from which we shall ask your Lordship to infer that during the years 1885 and 1886 there were existing the same consequences, the same results from this violent agitation as those to which I referred when I was dealing with the Land League in the years 1880, 1881, and 1882.

Now, my Lord, I am glad to think that I am able to turn to the last county to which it is necessary for me to call your Lordship's attention in the same way. I am sorry to say that if I were to go through that county, so far as the outrages are concerned, the list would be an exceedingly long one; but I think I shall be able by picking out five or six typical instances out of a very much larger number to show your Lordship that the invitations of Mr. Dillon, that the men of Kerry should do as they had done before, and that other counties should follow the example of those who were in Kerry, and thereby should put an end to the landlord system in the places in which he, Mr. Dillon, was speaking, were not lost on or neglected by those who had previously been guilty of similar conduct in Kerry. My Lord, I have eliminated all but four speeches from those which were delivered in Kerry; but those four, I think, I ought certainly to call your Lordship's attention to. The first one was at Killarney, on the 30th August 1885, at which there were present Mr. Sheehan, Member of Parliament, Mr. T. M. Healy, M.P., Mr. William O'Brien, M.P.

## COUNTY KERRY.

## KILLARNEY.

30.8.85.

Speaker: J. D. SHEEHAN.

"Said the programme before the country was independence  
" for Ireland; all other issues had been thrown away; they would  
" proclaim themselves free, and fight for it if necessary.

"Where the people are rackrented, let them come to our  
" branch meetings, and we'll tell them what to do."

Witness,

Constable  
J. Agnew,  
Reporter.

Speaker: T. M. HEALY, M.P.

"Spoke against landlordism and landgrabbing, and condemned those who  
" had taken grass lands in Lord Kenmare's demesne. In no part of Ireland was



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[Continued.]

“ landlordism so odious as in Kerry. We will expedite the departure of vultures  
 “ and harpies from this district. While you are secure in your holdings, so long  
 “ as you pay your rent, our object is that you should be secure in your holdings  
 “ without having to pay any rent. (Cheers.)

“ My experience of the Land League times is that the rich farmers are to be  
 “ distrusted. They sneaked into the office, and paid behind backs. Now my  
 “ advice to you would be, if you enter into a combination, to take proper pre-  
 “ cautions that no man breaks the line. Bank your rents in the name of trustees,  
 “ and say, We will demand a reduction and stand by it.

“ Condemned outrages, though not unequivocally, and pointed out that instead  
 “ of resorting to outrages they could resort to boycotting.”

I think it is only probable Mr. Healy did say something of the kind, having regard to one other speech I read of his to-day.

“ The people in their struggle for independence had behind them the momentum  
 “ and force of the great land movement.

## Resolutions :

- “ 1. National independence.
- “ 2. No farmer to make use of the Land Purchase Act, except with the  
 “ approval of his branch of the Land League.
- “ 3. Condemnation and utter abhorrence of landgrabbing.”

I should like to make an observation on those three resolutions. Your Lordships are supposed to take judicial notice of the fact, and I must assume do, that an Act was passed in the year 1885, Lord Ashbourne's Land Purchase Act, under which tenants could purchase from the estate their land on very favourable terms by paying instalments of the purchase money spread over, if I remember right, 49 years. Now, I ask your Lordship to observe the extent to which it was thought desirable that this organisation should interfere with the carrying out of that which would be beneficial to the tenants of Ireland. Nobody who has watched the working of the Act (I speak, of course, on the evidence I shall put before your Lordship) can doubt that from the tenants' point of view it is exceedingly beneficial. But it would not serve the purpose of the National League that the Act, which was really to ameliorate the condition of the tenants, should be worked; and, accordingly, except with the approval of the branch of the Land League, nobody was to make use of the clauses of Lord Ashbourne's Act. I respectfully submit to your Lordship that it shows as clearly as anything else that it was the intention of those who were advocating and taking part in this conspiracy that they would have nothing carried through which might be for the benefit of the tenant, unless thereby their ultimate goal of the sweeping away of landlordism and the obtaining of the land for the tenant without any rent at all, and through that the ultimate independence of Ireland, was kept in view. Therefore, your Lordship will see we have in those resolutions national independence referred to. “ No farmer to  
 “ make use of the Land Purchase Act, except with the approval of his branch of the  
 “ Land League. Condemnation and utter abhorrence of landgrabbing.” That I need not refer to, as I have frequently spoken about it.

Now, Mr. William O'Brien said :

“ The Irish people were not afraid to be extreme in the days of Earl Spencer and  
 “ the Crimes Act, in the days when to be extreme involved execution, and the prison,  
 “ and the planked bed, and so forth. We were not afraid to be extreme then, and we  
 “ are not ashamed to be moderate now, when it would be quite safe to be extreme.  
 “ Mr. Parnell will give them such war as 80 guerillas can carry on in the heart  
 “ of that English Parliament, and such war as the Irish people are able to carry  
 “ on outside that Parliament with the weapon of the franchise, of what they called  
 “ the boycotting pike, or with any other weapon that time or opportunity may  
 “ offer us—(cheers)—or those who may act for us, for it will be carried on until  
 “ the fabric of Irish freedom shall rise side by side with that of England, or on  
 “ the ruins of England's greatness and her Empire. (Cheers.)

“ The English people in politics are the merest pack of fools, for they will do  
 “ as they are told to do. We need not care for the gabble of English Liberal  
 “ spouters.”



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[Continued.]

On the 20th September in the same year, at Kenmare, in county Kerry, Mr. Edward Harrington, M.P., was present, and also Mr. J. D. O'Sullivan.

## COUNTY KERRY.

KENMARE.

20.9.85.

Speaker: J. D. O'SULLIVAN, Kenmare.

Said, "That outrages, at least some of them, were a disgrace, and should be  
"condemned. Landgrabbing was as bad as moonlighting."

That is an instance of the condemnation of outrages. At the same  
meeting Mr. Edward Harrington, M.P., spoke.

Witness.

Constable  
P. Coyne.

Speaker: E. HARRINGTON, Tralee.

Said, "That it would be their own fault if the landgrabber or the vile  
"emergency man showed his head amongst them. He did not  
"counsel any act of indiscretion; there were a thousand ways in  
"which they could make these vile wretches feel their position."

Witness.

Constable  
P. Coyne.

On the 29th of November 1885, Mr. Michael Davitt spoke at Tralee, in county Kerry. He said this:—

## COUNTY KERRY.

TRALEE.

29.11.85.

Speaker: M. DAVITT.

"Manchester martyrs' demonstration memorial cross to Allen, Larkin, and  
"O'Brien, unveiled by Davitt, which he said was typical of faith and  
"fatherland. Allen, Larkin, and O'Brien had proudly died and  
"offered up their lives as sacrifices on the altar of Irish freedom.  
"They had been fully struck down and done to death by England's  
"Government. I know that neither of these men fired that shot.  
"I have several times spoken in America to the man who fired it." (Cheers.)

Witness.

Sergeant  
Conderan,  
Reporter.

It does not seem that Mr. Michael Davitt, if that be true, has assisted to bring that man to justice.

"This fact was known to the English Government of the day, but these  
"men were immolated in order to satiate English vengeance against Irish  
"independence."

My Lord, I cannot imagine a more monstrous speech to be made by a constitutional agitator. The Government of the day, who had allowed the criminals who had committed the murder to be hung, knew that they were not guilty; the men were immolated in order to satiate English vengeance against Irish independence.

"Our vigil will be patient and watchful, and the day will come when not  
"only the butchery in Manchester will be avenged, but the social crimes com-  
"mitted against the Irish people will also be avenged. If you or I might be  
"called on to-morrow, or five years hence, to follow the example of Allen,  
"Larkin, and O'Brien, it is our holy duty to emulate them, and prove, if  
"necessary, that death alone will be welcome to you in the cause of Irish  
"liberty."

One more, my Lord, on the 6th of January 1886, at Knocknagoshill, at which Mr. J. D. Sheehan, the Rev. M. Casey, parish priest, Mr. Edward Harrington, M.P., Dr. Moriarty, of Listowel, Mr. P. O'Sullivan, the President of the Land League, and Mr. Stack, M.P., spoke. I call your Lordships' kind attention to these speeches.



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[Continued.]

## COUNTY KERRY.

KNOCKNAGOSHILL.

6.1.86.

Speaker : Rev. Mr. CASEY, P.P.

" Said, he attended to denounce landgrabbers as the curse of the country.  
 " They should be passed by on the streets with scorn and contempt,  
 " and no person should speak to or look at them. He advised them  
 " to pay no rent, except a fair rent, which this year he believed to  
 " be no rent. Denounced outrages.

Witness.

" Nearly all the speakers at this meeting denounced the com-  
 " mission of outrage ; but, with the exception of Father Casey,  
 " they qualified their denunciation by adding the words 'at  
 " present.' "

Constable  
 Jas. Hourican  
 (Longhand  
 notes) and  
 Head Constable  
 Higgins.

I call your Lordships' attention to the fact that side by side with the denunciation of outrages is also the denunciation of landgrabbers. Your Lordship will see what the other gentlemen said.

Speaker : E. HARRINGTON, M.P.

" Recommended that landgrabbers or grassgrabbers, or persons who cut rushes  
 " on evicted farms, should be shunned. Those people who cut  
 " rushes on such farms should know that that was grabbing ; that  
 " those rushes pointed their tapering heads to Heaven, as if to  
 " invoke vengeance on the man who grabbed them off evicted  
 " farms."

Witness.

Constable  
 Jas. Hourican  
 (Longhand  
 notes) and  
 Head Constable  
 Higgins.

This is cutting rushes on a piece of vacant land.

" Do not commit any outrages, as at the *present time* they only injure the  
 " best interests of the country, and strengthen the hands of our enemies."

Not one word, as I stated some days ago, of denouncing the outrages because they are wicked or wrong.

Speaker : J. D. SHEEHAN, M.P.

" Asked the people to use to the best advantage boycotting, that powerful  
 " instrument which they possessed against the land and grass-  
 " grabber. He knew that there were plenty of people about here  
 " who have received processes for rent, and warned them against  
 " going behind their neighbours' backs to pay their rents. Any  
 " such man should be treated as a grabber. They heard a lot  
 " about a fair rent, but he considered a fair rent to be no rent.

Witness.

Constable  
 Jas. Hourican  
 and  
 Head Constable  
 Higgins.

" Also spoke against the commission of outrages, as at present,  
 " when the goal was so nearly reached they might injure the cause."

Speaker : Dr. MORIARTY, Listowel.

" Was intimately acquainted with all the great Nationalists of England,  
 " Scotland, and America, and was an ardent follower of that great  
 " man James Stephens, and would always remain a follower of his."

Witness.

Constable  
 J. Hourican  
 and  
 Head Constable  
 Higgins.

I should think James Stephens was a Fenian. He was the Head Centre.

" " We are not at present able or prepared to use force, but England knows  
 " that if we were, the Irish race, all the world over, would take part in the fight  
 " for freedom. And let England beware, for the sword of vengeance is hanging  
 " over her head, and when it falls, Irishmen will be found in their places, and  
 " theirs will be the hands that will cause the fall.

" " The grabber should be boycotted. If he be sick, go for the priest ; but let  
 " no person go for a doctor, as such people are not worthy of being kept alive.



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“ Don't go to his funeral; let him have no funeral; let him “ go down to the vile dust from where he sprung, unwept, unhonoured, and unsung.”

“ ‘ His wife may go to his grave and fire a pop-gun over him, if she likes.’ ”

This, my Lord, is the way in which the unfortunate landgrabber is to be treated. This is by Dr. Moriarty, of Listowel, who speaks in the presence of Mr. Harrington and Mr. Sheehan.

Speaker : J. STACK, M.P.

“ Said he was going into the British Parliament House a sworn enemy of the Sandes, the Herberts, the Husseys, the Headleys, and Kenmares, and would not rest until he saw the total extinction of land-lordism.”

Witness.

Constable  
J. Hourican.

Speaker : P. O'SULLIVAN, President, Knocknagoshill Branch of the Land League.

“ Said he would be glad to see all the landlords buried six feet underground, and would like to see them all in ‘ Fiddlers’ Green, ‘ seven miles below the “ hot place.” ’ ”

Witness.

Constable  
J. Hourican  
(Longhand  
notes).

Now, my Lord, I wish to make a few observations on some of the outrages that have occurred in the county of Kerry which, according to so many speakers, is worthy to receive the palm for the way in which the treatment of landgrabbers was understood. I think your Lordship will scarcely have failed to notice that landlords were scarcely spoken against in those previous speeches, probably for the reason which was mentioned in a speech I read. I do not know who the speaker was, but I remember reading the report, and I think it is one of those I have put in. It certainly is one which I shall put in.—“ The landlord was too well protected; do not mind him, shoot “ the landgrabber instead.”

Now I will call your Lordship's attention to the firing at Michael Moriarty on the 5th of March 1885. I will, as far as I can, merely make a selection of a few of these, my Lord. Michael Moriarty took a farm in the year 1884, or sent some cattle to graze upon a farm from which a man had been evicted. All, as far as my information goes, that he had done was that the grazing not being occupied by anybody he had sent his cattle to graze. That was in the autumn of 1884.

*Sir C. Russell:* Tell me where it is.

*The Attorney-General:* It is at Dromin, Killorglin. This was not for some time discovered, because I fancy that he had sent the cattle, according to my instructions, to graze upon the farm, the cattle had been sent there by the tenants who had previously kept the farm. On the 5th March 1885 he was shot at, and a bullet passed through his clothes, about half-past 8 in the evening.

Now I take the case, on the 7th of December 1885, of William Williams, a farmer, residing on the property of Mr. Aupin. Mr. Aupin had been exceedingly popular with his tenants, and his relations with all his tenantry had been practically without any serious discussion for a very long time. He had a dispute with one tenant in the month of March 1884, and he evicted a tenant, and after he evicted him, the members, as will be proved before your Lordship, of a branch of the Irish National League endeavoured to annoy Mr. Aupin by boycotting and intimidation. Mr. Aupin, I believe, resided at Brewsterfield, in Killarney; it was the branch in that neighbourhood. A man named Williams worked on the evicted farm for Mr. Aupin. I desire again to point out on my instructions there had been no difference between Aupin and his tenants except in this case. In this particular case Aupin had had a difference and evicted the tenant. He employed a man named Williams. What did they do? Instead of attacking Mr. Aupin himself, on the 7th of December 1885, a party of 15 or 20 men went to William Williams' house, broke in the door with large stones, forced their way into the room, and when they got inside the door, Williams called out that if they did not go away he would fire on them. They then shot through the windows of the house at him, and a number of the shots lodged in the head of the bed, just above where he was standing. He was injured by some grains of shot which glanced off and struck him on the hip. He was a bold fellow, and fired his revolver at the men as they were going away, or rather when they fired at him, and they disappeared from the house. The sole reason of that outrage was that Williams had worked on this evicted farm for Mr. Aupin.



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On the 30th of January 1886 there was at Killeney in County Kerry an old man named Rae. He had lived there for a great many years. He was 62 years old. He was one-armed, and he had on some previous occasions served writs for rent. He had been bailiff, or whatever they call them in Ireland, the process server who had served the writs for rent. In the month of October 1885 they proceeded to endeavour to annoy him by mobbing him, and on the 26th of January 1886 he served another writ. On the 30th, four days afterwards, the poor man came into his house where his wife was, and in the presence of his wife they seized the old man (as I told your Lordship he was one-armed), and with some sharp instrument like a razor sliced off one of his ears in the presence of his wife, and left him there. It was some hours before anybody discovered them. The wife of course was terrified. As a matter of fact he was exceedingly ill from loss of blood, and for a very long time had to be kept under police protection. My Lord, I believe it will turn out and be proved before your Lordship on my instructions that the only offence for this brutal outrage was that the unfortunate man, who had lived there very many years, had served a writ in respect of some demand for rent.

On the 5th May 1886 there was the case of a man named Cornelius Kearney. He had been accustomed to send his horses to a particular blacksmith to be shod. The Kearneys would not join either the Land League or the National League. He was warned in the autumn of 1885. I think the blacksmith refused to shoe his horses. He was warned not to send his horses to be shod or not to send his cow to a bull belonging to a neighbouring man who was objectionable to the Land League. He did so, and at half-past 10 on the 5th of May 1886 he was fired at, and the shock had such an effect upon him that he has been, practically speaking, in bad health ever since that occasion, although previously in perfectly good health, and he died not very long afterwards. I cannot say he was actually wounded.

*Sir C. Russell:* At what place?

*The Attorney-General:* As to the name of the place, I am afraid I have no more information given me nearer than this, that it was somewhere in the neighbourhood of Farmer's Bridge, Ballyrobert.

I wish to call your Lordship's attention to a case of O'Connor, of Ballymacquin, in Kerry. O'Connor evicted a tenant, a Mrs. Rice, and went to live upon her farm. It was his own land and he went to live there. So that it was not only in this instance a case of preventing the landlord from letting the land, but preventing him occupying the land. For that he was shot in the foot.

*Sir C. Russell:* When?

*The Attorney-General:* On the 27th May 1886. In June 1886 a man named John Shea who was working for him was warned he was not any longer to work for O'Connor, and he was shot at. I think that was, if I remember right, on the 6th of June 1886. When that happened O'Connor, he having himself been shot, and one of his workmen shot at, went and made his peace with the local branch of the Land League. This was described as establishing the Land League in the district. There were reports of this in some of the local newspapers, I think the "Kerry Weekly Reporter" among others, where the offence these men had been guilty of was spoken of as an offence against the rules of the League, or against the resolutions of the branch of the League.

Then on the 1st August 1886 a poor man named John Conway, at Killigubbin, cut some turf. He was shot in the right knee, had a very narrow escape for his life: and, sorely wounded as he was, he went down to the Land League and begged forgiveness, and promised not to offend any more against the rules of the Land League in respect of cutting turf.

*Sir C. Russell:* Where?

*The Attorney-General:* On Ardrahan bog, near Killigubbin. I think, my Lord, we shall produce before your Lordship the resolutions of the branch of the League in that case. And the report of the discussion which took place, as to whether or not these men were or were not to be forgiven for their supposed offences against the League. I did not happen to have it in the extracts I had before me, but my friend has been good enough to give it me. This will be a fair specimen of what occurred at the meetings of the National Land League. "John Conway was summoned." I believe it will be found John Conway had been summoned after he was shot.



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“ John Conway appeared before the meeting, on being communicated with by  
 “ the Secretary, to answer the charge preferred against him a month since. It  
 “ appears Conway cut turf in a bog at Ardrahan.”

This is the Abbeydorney branch of the Irish National League.

“ It appears Conway cut turf in a bog at Ardrahan, to which he had no  
 “ especial right, that the farmers whose farms surround this bog had the  
 “ privilege of grazing their cattle thereon, which privilege has become a right  
 “ through lapse of time, that any of these farmers have not cut turf in the  
 “ bog on this year, but their right might have been weakened thereby, but  
 “ Conway cut the turf against the expressed wish of all his surrounding neigh-  
 “ bours, who were of opinion that Conway's action amounted to an invasion of  
 “ their right. As Conway had been fired at recently, the decision come to was  
 “ that the League, in order to show its abhorrence of outrage, would exculpate  
 “ Conway, but requested of him to forego any interference in the future with  
 “ the Ardrahan side of the bog, and also with the Baltovin side, until his  
 “ father's right would devolve on him, to which Conway assented. The greatest  
 “ sympathy was manifested by those present towards the unfortunate man, as  
 “ he was scarcely able to move with the aid of a walking stick, on account of the  
 “ bullet, which he received in the leg from the party that visited him.”

Your Lordship will find that gentleman was summoned first; did not appear; then he was shot; and then he did appear, and your Lordship will be able to judge from this and other cases as to the kind of way in which the decrees of the Land League were enforced.

On the 3rd June 1886 was the case of Patrick Tangney. He was bog-ranger on the property of Mr. Richard Geoy. He was at one time a member of the National League. There was some suspicion suggested that he had obtained turf for persons who had no right to the turf, and on the 3rd June 1886 two men, armed, came to his house, and asking him whether he was still continuing to work for his landlord, on which he said, “ Not since October last,” they shot him with a charge of shot in his legs, causing a large wound, from which he bled to death in a very few minutes. My Lord, as far as I understand the evidence which will be laid before your Lordship, the only offence of which that poor man could be said to be guilty was that he had on behalf of a landlord allowed some persons to cut turf, or been party to some persons cutting turf against the views of these persons, who determined that only those who had previously been tenants should have any turf from the property at all.

In the same year, 1886, Arthur Gloster was bailiff for Lord Kenmare. On the 7th June at a quarter to 2 o'clock in the morning a quantity of dynamite was exploded in an attempt to blow up Gloster's house. The police attempted to arrest or attempted to find out those who had taken part in the outrage, and found a loaded rifle and a six-chambered revolver. I shall have some evidence to give before your Lordship as to where that rifle and that revolver had come from, and possibly, my Lord, something with reference to the dynamite as well.

My Lord, there was a series of outrages during this year, all connected, or a great many of them connected, simply and solely as far as one can judge with the occupation of land, either taking care of it, or the cutting of turf, or doing something of a perfectly harmless nature itself, but which was regarded by those who were in the neighbourhood belonging to the League as being landgrabbing. In many of these instances your Lordships will have evidence of the persons going before the League, or being summoned by the League, or receiving notices from the branches of the League in the immediate district. I mentioned that in several of those cases persons were brought up before the local branches of the National League. I do not stop to give your Lordship the actual particulars now.

My Lord, I ought to call your Lordship's attention to the case of Fitzmaurice, certainly one of the most brutal murders that have ever taken place. James Fitzmaurice, a farmer, 60 years of age, was killed on the 31st of January 1888, but your Lordship will find that the attempt to boycott Fitzmaurice, to persecute him so as to make his life absolutely unbearable, had extended over a period of something like two years, or two years and a half, and your Lordship will have evidence before you that the inti



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dation, cruelty, and ultimate murder of Fitzmaurice, was in consequence of the direct action of the Lixnaw branch of the Land League. It will be said that the Lixnaw branch of the Land League had been suppressed before the actual date of the murder. It is perfectly true that in one sense it had been suppressed. But, as I said to your Lordship, when a similar observation was made in the course of my speech a few days ago, you do not suppress a League of that nature by a stroke of the pen; but what is much more important is the resolutions under which Fitzmaurice suffered, and the treatment which he received commenced long before the year 1888, and undoubtedly at a time when, as will be shown before your Lordship, if my instructions are correct, the Land League at Lixnaw were interesting themselves strongly in Fitzmaurice's case, and to their action must be traced to a very great extent the outrages which subsequently occurred. When I said suppressed, I meant that under the Coercion Act of 1887 certain branches of the National League were suppressed. The statement was made, saying you could not possibly say the National League of Lixnaw had anything to do with Fitzmaurice's murder, because at the date of the murder the National League had been suppressed some three or five weeks. But we shall be able to show before your Lordship special resolutions with regard to Fitzmaurice's case extending far back. I will briefly indicate to your Lordship the outline of what I mean. James Fitzmaurice was said to have helped Mr. Hussey over a ditch. Mr. Hussey was a land agent, or a landlord (I am not sure which; the circumstances will be well known to my learned friends), and he went out over the land, and Fitzmaurice was said to have helped him over a ditch. In consequence of that the following resolution appeared in the "Kerry Weekly Reporter" of the Irish National League:—

"That as James Fitzmaurice has acted the part of a special constable to  
" S. M. Hussey on the 14th instant we consider his neighbours should hold no further intercourse with him."

The date of that is the 3rd of January 1887. I told your Lordship some little time ago the holding no further intercourse with people was a perfectly well understood method of indicating they were to be boycotted and intimidated. There was a very good organisation in Kerry at this time—an organisation which was perfectly satisfactory to all the leading gentlemen of the National League. It was very well organised—Kerry. They perfectly understood; they did not want any mystic signs, or any secret passes or words. They perfectly understood what their duty was. By that notice Fitzmaurice was boycotted, not at first rigidly, but boycotted. In June 1887 he was summoned to appear before the branch of the Lixnaw National League. He had allowed his cattle, it appears, to graze upon a farm from which his own brother had been evicted. One would have thought that was not a very wicked thing to let your cattle go and run on a piece of waste land from which a member of your own family had been turned out. Thereupon the Lixnaw National League resolved:—

"That as James Fitzmaurice, of Ahabeg, still persists in allowing his cattle  
" to graze on the farm from which his brother Edward was recently evicted, and  
" refuses to give any explanation to the League in extenuation of his conduct, we  
" hereby call on the public to mark him as a landgrabber of the most inhuman  
" kind."

These are the directions that are given to the well-organised county. This is the county, my Lord, whose example was to be imitated according to Mr. John Dillon in the county of Longford—the boys of Longford were to do as well as the boys of Kerry had done—in that speech which I read at some length early this afternoon when I dealt with the outrages in Galway. I suppose it will be suggested that because the League was suppressed in the district, in the county of Kerry in (if I remember right it will be proved before your Lordship) September 1887, therefore the resolutions of June 1887 had no effect. Gentlemen who use those arguments, or anybody who repeats those arguments before your Lordships will, I think, require something stronger than mere assertion to suggest that an organisation which had been promoting outrages in the county of Kerry for something like five or six years had been or could be suppressed and rendered perfectly harmless in a few hours or a few weeks. However, on the 23rd October 1887 the Land League again resolved—they called upon the public to mark by every constitutional means their disapprobation of the conduct of James Fitzmaurice,



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who has been so base and inhuman as to grab his brother's land, it being this, that he had let his cattle graze upon the land from which his brother had been evicted. That was October 1887. On the 31st January 1888 Fitzmaurice was shot when he was driving with his daughter in his cart at half-past 5 in the morning. His daughter was with him. I believe, beyond the statement that he was shot, he never spoke again, and practically no assistance dare be rendered by persons who would have helped the poor girl for fear of it being supposed that any assistance had been rendered to this poor unfortunate girl, whose dead father was lying there; there were several who passed and dare not render any assistance. Your Lordship will find when the trial took place for that murder, when persons were charged for that murder, some communications passed between the persons charged and the members of the National League. I believe your Lordship will have no doubt whatever that those prisoners were defended, the people who shot Fitzmaurice, with the money of the National League. I suppose it is entirely justifiable that a fair trial should be obtained. However, I will not give any detail about it at the present time. It is sufficient for my purpose that I think I shall be able to lay evidence before you that the National League provided the funds with which the murderers of that man were defended. I said the persons charged. They were convicted. My Lord, it is not a solitary instance, by any means, of persons who were undoubtedly guilty being singled out for defence by the National League, the organisation which was according to the public statements, I suppose it will be said of Mr. Parnell and his followers, carrying on that which was nothing but a constitutional, legitimate, and perfectly lawful organisation. I must remind your Lordship that years before it had been promised in the speech that I read that if anybody was charged with shooting a landlord there would be money found to defend them. They would take care that everything was done in favour of a person who was charged with shooting a landlord. Even the bare outline of this story which I have to put before your Lordship with regard to these counties is ghastly enough. I shall, before our evidence closes, lay before your Lordship of course instances of speeches, and of accompanying or consequential outrages as we allege in various counties. My Lord, I am sure that your Lordship will not forget that one of the strongest arguments I shall venture to address before your Lordship will be the argument of a negative character. That is this. You find started in Ireland for the first time a system of crime which both from its frequency, the character of the crime, and the circumstances under which the crimes were committed was absolutely new. You find that crime was directed against persons who had never before been the subject of similar outrages. I believe that what I stated two days ago or yesterday will be fully confirmed by the witnesses—that the crime of shooting a man for paying his rent was unheard of before the year 1880; and after that time outrages against men who paid their rent can be numbered literally by the hundred. If you find that all these speeches were made and this organisation existed I shall ask your Lordship to come to the conclusion that unless some other cause for the outrages can be found you will attribute to this violent language, to these appeals to self-interest, and to motives of personal aggrandisement, the outrages which were undoubtedly to a great extent perpetrated by the persons to whom those appeals were addressed. But again I say, my Lord, that I shall rely on the negative argument that you do not find throughout the whole course of these years one single speech delivered or one single circular issued, one single letter written, or one single step taken by Mr. Parnell, or Mr. Biggar, or Mr. Davitt, or Mr. O'Brien, or Mr. Harrington, or any one of these gentlemen to point out to these ignorant peasants that somebody was carrying on these outrages and that they ought themselves to determine they should be put down; on the contrary, as far as we can judge, in the whole of these years these gentlemen were either absolutely silent or so far as they did take part were actively encouraging similar conduct. My Lord, I also ask your Lordship to draw the conclusion that it was a system and not an accidental effusion of acts of violence by any agents who were beyond the control of a central body. It was an organised conspiracy. It was a conspiracy which determined, by means of striking at the tenants, that they would ruin, evict, and bring to their knees the landlords; and that that being done the result of that would be that the main prop of English rule in Ireland would be destroyed. Further, I shall ask your Lordship to come to the conclusion, if I establish what I have opened to your Lordship, that the organisation or conspiracy was dictated from America; that its policy was formulated in America; that it drew the whole of its



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financial strength from America, and that it was not possible for the leaders of either the Land League or the National League to break free from the fetters which bound them to the American section, which fetters compelled them and kept them within the course whereby they were of necessity obliged to advocate the system which must be productive of the outrages if it was to be rendered effectual at all. And if it be said that the National League was disconnected from the Land League, that there was a completely new departure in the sense of the National League not adopting the same line of policy and not pursuing the same means, I again point to the notice that was given, distinctly, publicly in the year 1882 and in the year 1883, of what were the consequences of the conduct which had been followed by the National League, and I call attention to the fact that identically the same kind of conduct was pursued by the Land League, and the same kind of conduct pursued by the National League.

My Lord, I have, I am aware, occupied a very considerable portion of your Lordship's time in opening this case. I am afraid I have yet done little more than indicate the mere outline of the particular heads of evidence which will have to be considered by your Lordship. My Lord, in all probability there will be called before your Lordship before this inquiry is over the persons who actually took part in some of these outrages, who will tell your Lordship not only the kind of way in which the money was paid, but the kind of method which was on foot for arranging for the perpetration of some of these outrages. My Lord, I am well aware that in this case there may be very great difficulty with witnesses of a certain class. Of course, in many instances, it is the evidence of witnesses who must be regarded with very great suspicion, and must be most carefully examined before it is credited. But upon the other hand your Lordships have power, and will have the powers as Commissioners, having regard to the terms of this Act, of getting at the truth to an extent and in a way in which an ordinary tribunal would probably have been powerless to have pressed it. Nay more, I think your Lordships will find before the end of this inquiry if there is disclosed to your Lordship any channel through which truthful—I will not say altogether truthful—information can be given which will enable your Lordship to get at the truth, your Lordships' powers will be ample to enable you to search it to the bottom, and leave no doubt as to what is the real cause of this horrible system which prevailed; and as to the persons with whom that responsibility rested. It is manifestly not right that I should do anything more at the present stage in connexion with that part of the case than indicate to your Lordship that in all probability evidence of that kind will be forthcoming, from which your Lordships will be able to judge whether or not the action of those who were at the head of affairs was so absolutely free from suspicion that your Lordship can assume that their organisation, their conspiracy, their League, had nothing to do with these terrible crimes and outrages to which I have been calling attention.

My Lord, to a very large extent I shall bring knowledge home to all the members who have been charged. As to the main leaders, such as Mr. Parnell, Mr. Biggar, Mr. Harrington, Mr. Matthew Harris, Mr. O'Brien, Mr. Dillon, there will be no doubt in your Lordship's mind, if I establish the case that I have opened, that knowledge of what had been the result of the action of the Land League was brought home to them. But, my Lord, I have said more than once in the course of my observations, and I respectfully repeat it—I do not think at the end of this case that your Lordship will be able to come to the conclusion that all this was done without the knowledge of those gentlemen who may profess not to have been personally acquainted with what the Land League was doing, and what the National League were doing. They were the head of those organisations, they were the officers of those conspiracies, and it will be for your Lordships to consider, if any such statement be made after those witnesses have been subjected to cross-examination, whether you can possibly adopt the view that these gentlemen were the innocent victims of a system intended to be harmless, intended to have neither unlawful purposes nor to be worked by unlawful means, but by the folly, wickedness, and treachery of some of its subordinates dragged into the system which I have been condemning as strongly as I could in the course of the last few days.

My Lord, in this connexion I cannot help again reminding your Lordship of the extraordinary fact that but one gentleman speaks to the possession of any documents belonging to the Land League ever being in their possession; and that is only a bank book. The officer, treasurer, the secretaries, who made these affidavits as officers for



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the Land League, have sworn they have never had in their possession, nor has their agent had in his possession, the books or papers of the Land League. Mr. Kenny's affidavit will be found to be the only one that refers to anything.

If those books do not exist, I shall ask your Lordships to draw your own conclusion as to why they do not exist; and if they did exist, and are not now in existence, I ask your Lordships to draw your conclusions as to why they are out of the way and are not forthcoming down to the present time. So as regards the money. Sooner or later in the course of this inquiry your Lordships, I have no doubt, will search out and form a pretty good judgment as to what has become of the balance of the 44,000*l.* acknowledged to have been received by the Land League, and as to what became of the very large sums of money acknowledged to have been received by the National League; and one cannot help feeling that if this be a subject that will bear examination, will bear the light of criticism, and was tainted with no crime connected with no outrage, and was solely to be worked by constitutional methods, we should have had a complete exposure and a great protest as to what had been done with both the money and the books, and heard at once the doings, the course of business, the pursuit, and the purpose for which the Land League was constituted and by which it carried on its work.

My Lords, of course, "The Times" may have been misled in the judgment it has formed of the history to which I am referring. If it shows a cause and shows an effect, and your Lordships should be of opinion that that cause has not been displaced, and that effect shown to have taken place; if your Lordships should be of opinion that the effect entirely follows the cause, the case of "The Times" will be established. If, on the other hand, my learned friends are able to show that there was some organisation, some secret conspiracy for which the leaders for whom they appear were not responsible, then I admit it may be possible to answer the case of "The Times."

My Lords, I can only regret that it has been necessary for me to occupy so much of your time. It was not possible for me to give the description of "The Times" case without, I think, making a full and complete statement. Nobody is more alive than myself to the imperfections of that statement, and the certainty with which it will be said against me afterwards that I had not called attention to particular parts of the evidence which I shall call before your Lordships. All I can say is that I think I shall be able to render your Lordships' assistance in whatever is the object of this inquiry. Whatever my learned friend, Sir Charles Russell, may say in his position as advocate, the only object "The Times" have in appearing before your Lordships is for the purpose of elucidating the truth as to these charges and allegations.

*Sir C. Russell*: It would be convenient now, if my learned friend would indicate the course of evidence which he proposes to enter upon, beginning next Tuesday.

*The Attorney-General*: I can communicate with my learned friend; I do not think I can tell him at the present moment.

*Sir C. Russell*: The intimation to me is not of so much importance as it is to my clients. If Mr. Soames will communicate with Mr. Lewis to-morrow.

*The Attorney-General*: Certainly. Mr. Soames will communicate with Mr. Lewis to-morrow. All I can say is, I will give, as far as I possibly can, information that will be ample notice to Sir Charles Russell.

I should like just to mention this to your Lordships, with your Lordships' sanction. We mentioned Monday as the day on which the people with the books from the bank should attend before your Lordships. Will your Lordships allow me to substitute Tuesday for that with reference to the inspection of the books?

*The President*: Yes.

*The Attorney-General*: My Lords, might I also mention a matter to your Lordships which does not actually concern my learned friends, unless they should happen to want to refer to the same documents. There are several files of the newspapers which come from the British Museum; they have to be brought here at 11 o'clock and taken away at 4 o'clock. The officials of the British Museum, who are not the least anxious to have them carried backwards and forwards every day, are perfectly willing that they should be left in some room in the building.

*The President*: Oh, yes, they may be kept here, as other documents of far greater value are kept here at times.

The Court adjourned to Tuesday, the 30th October, at 10.30.



SPECIAL COMMISSION ACT, 1888.

ROYAL COURTS OF JUSTICE,  
PROBATE COURT No. 1,  
Tuesday, 30th October 1888.

(*The Attorney-General.*) My Lords, I had better deal with this question of the banks, for which, I understand, some of my learned friends, I do not know who, appear.

(*Sir W. Phillimore.*) I appear with my friend, Mr. Fitzgerald, for the Hibernian Bank.

(*Mr. Wheeler.*) My Lords, I appear for the National Bank.

(*The Attorney-General.*) I do not know whether your Lordships have the orders that were made; the orders are not here. On the 17th September 1888 your Lordships made an order “that John Walter and George Edward Wright, their solicitors and “agents, be at liberty to inspect and take copies of any entries in the books of the “Hibernian Bank, kept at its offices in Dublin, relating to dealings and transactions by “and between the said Bank and the Irish National Land League.”—These are included, therefore, I need not read them out; the other branches of the organisation and also the names of certain individuals. A similar order was made upon the National Bank, Limited, and on the Munster and Leinster Bank, who, I understand, do not appear here to-day.

(*The President.*) Is the National Bank at Dublin also?

(*The Attorney-General.*) At Dublin and its branches, and the Munster and Leinster Bank is at certain branches. The National Bank has its head office in London, the Hibernian Bank has, I believe, actually an establishment in London; the Munster and Leinster Bank has its office at Baggot Street and Dame Street, Dublin, Killarney, Kinsale, Naas, Tipperary, and other places. I should first ask my friend whether the books are here?

(*Mr. Wheeler.*) My Lords, speaking for the National Bank, the books are not here.

(*Sir W. Phillimore.*) I think my friend has no right to ask that question, and I shall not answer it. I do not feel disposed to do so at the present moment.

(*The Attorney-General.*) I will call your Lordships’ attention to the way they stand. I will assume that the books of the National Bank are not here. The matter stands in this way: if we do not have inspection of the bank books under the order to which I have called your Lordships’ attention made under the Bankers Books Evidence Act, 1879, I shall ask your Lordships to allow there to be issued a *subpœna duces tecum*. I believe there is one already issued to bring the original bankers’ books over, and in that case we shall apply to your Lordships to inspect the original bankers’ books, and they, being in Court, we shall be able to get, by putting the bank to that difficulty, the exact information we shall require; but it was felt, if we possibly could, we ought to save the bank the trouble. I am obliged to postpone the reading of the affidavits, because the secretary does not happen to be here. Now, under the 42 Victoria, Chapter 11, the Bankers Books Evidence Act of 1879, provisions were made—there having been a previous Bankers Act—provisions were made in order to prevent the inconvenience of banks being obliged to bring over their books, and the 3rd section of the Act states “That subject to the provisions of this Act a copy “of any entry in a bankers’ book shall in all legal proceedings be received “as *prima facie* evidence of such entry and of the matters and transactions and “accounts therein recorded.” And section 6 enacts “That a banker or officer of a “bank shall not, in any legal proceedings to which the bank is not a party, be com- “pellable to produce any bankers’ books, the contents of which can be proved under “this Act, or to appear as a witness to prove the matters, transactions, and accounts “therein recorded, unless by order of a judge made for special cause.” Therefore you will see that we are obliged to pursue the procedure contemplated by this Act



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[Continued.]

before we could ask your Lordships to make an order that they should produce the original banker's books, because we are not allowed under the Act to have the originals if we can get copies, under the powers of the subsequent section. Now section 7, the section under which this order was made, states on the application of any party to a legal proceeding, the court or judge may order that such party be at liberty to inspect and take copies of any entries in a banker's book for any of the purposes of such proceedings, an order under this section may be made either with or without summoning the bank or any other party, and shall be served upon the bank three clear days before the same is to be obeyed, unless the court or judge otherwise directs. I ask your Lordships kindly to note the words "on the application of any party to a legal proceeding." By section 9 the bank is defined. It is sufficient for my purpose, it is defined so as to include the two banks represented here to-day, and the second bank which is not represented. Then section 10 says, "The expression 'legal proceedings' means any civil or criminal proceeding or inquiry in which evidence is or may be given, and includes an arbitration. The expression 'the court' means the court, judge, arbitrator, person, or persons before whom a legal proceeding is held or taken." Now, my Lords, I need scarcely remind your Lordships that under the provisions of the Act under which your Lordships are sitting, and which were considered by your Lordships at the preliminary meeting, it is enacted by sub-section 1 of section 2 that "The Commissioners shall, for the purposes of the inquiry under this Act, have, in addition to the said powers herein-after provided, all such powers, rights, and privileges as are vested in Her Majesty's High Court of Justice, or in any judge thereof, on the occasion of any action, including all powers, rights, and privileges in respect of the following matters." I need not do more than remind your Lordships that you decided that that included the power of making an order for discovery; and it was under those powers your Lordships did make an order for discovery, therefore I do not suppose it can be successfully denied that your Lordships have ample power and jurisdiction to make this order. Now, my Lords, the orders having been made, this is the affidavit of the secretary of the Hibernian Bank, which I now see for the first time.

(*Sir W. Phillimore.*) It has only just been sworn, my Lords: last night, I think.

(*The Attorney-General.*) Is there any affidavit by the National Bank, Mr. Wheeler?

(*Mr. Wheeler.*) Filed by us? I don't know.

(*The Attorney-General.*) The National Bank has filed no affidavit, therefore I take the one filed by Sir Walter Phillimore first. "I, Alfred Tenison Collins, the secretary of the Hibernian Bank, at present temporarily residing at the Hotel Métropole, London, make oath and say as follows: The Hibernian Bank, Limited, is a company having its head office in Dublin, and carrying on business exclusively in Ireland. In not obeying the order for inspection, dated the 17th of September 1888, my company have not intended to be in any way wanting in respect to this honourable Commission. Their position is this. They feel it their duty, as bankers, to protect in every way the privacy of their customers' accounts, and not to disclose the same, or give any facilities for their inspection, unless legally bound to do, and they have throughout these proceedings acted under the advice of counsel as herein-after stated. In the action of O'Donnell v. Walter and another, a similar order for an inspection of the books of the bank was made on an *ex parte* application by the defendants in that action to a Judge in Chambers, as I am informed and believe. My company declined to comply with the order for the reasons already stated." Those reasons being the desire to protect the privacy of their customers' accounts. "Subsequently an application as I am informed and believe was made on behalf of the defendants in that action to the High Court of Justice in Ireland, to order the bank to give such inspection, but the Court refused to make such order; and no proceedings were taken by the said defendants to test the validity of the said order made by the Judge at Chambers. A *subpœna duces tecum* was afterwards served on me to appear at the trial of the above action, and to produce certain books of the Bank; and my company being advised by counsel that I was bound to obey it, I attended accordingly in London at the trial, but was not called as a witness or to produce the said books. The order of the 17th of September, 1888, made by this honourable Commission, was served on my company on or about October 6th, and they at once instructed their solicitors to take the opinion of one of the leading counsel in Ireland, and were by him advised that they were not bound to obey that



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“ order, and in consequence of that opinion, they refused to give the inspection when  
 “ demanded. Subsequently, on or about the 22nd October, I was served with a  
 “ subpoena, dated the 2nd of October, to attend and give evidence, and produce  
 “ certain books at this inquiry. My company again laid the matter before the same  
 “ counsel, and being advised by him that I was bound to obey the subpoena, our  
 “ solicitors on the 24th of October telegraphed to Mr. Soames, the solicitor for  
 “ Mr. Walter, as follows: Special Commission Act, 1888. Hibernian Bank officials  
 “ will cross over with books in pursuance of order of Court on receipt of a wire  
 “ from you as to when you require them. Are you likely to want this week? Please  
 “ wire. Reply paid.” Such telegram was sent before any information reached our  
 solicitors of the application to the Commission that day. That appears to have been  
 sent on the 24th of October.

(*The President.*) Read it again. Read the operative part. He says he does attend  
 with the books.

(*The Attorney-General.*) He says “ Our Hibernia officials will cross over with books  
 “ in pursuance of Order of Court on receipt of a wire from you as to when you  
 “ require them. Are you likely to want them this week? Please wire; reply  
 “ paid.”

(*The President.*) What is the discussion about then? They are brought over.

(*The Attorney-General.*) As I understand, they will bring the books over, but will  
 not let them be seen.

(*The President.*) The Court must have them. They are here within our juris-  
 diction.

(*The Attorney-General.*) Not having seen this affidavit is the reason why I asked the  
 question whether the books were here, because if the books were here I should not  
 have to trouble your Lordships for another moment, but I should have at once asked  
 your Lordships for leave to inspect the books which I am entitled to see, and having  
 regard to the decisions of the Courts as to what the Bankers Books Act has provided,  
 we need have no further discussion if the originals are here. They are better than  
 copies. “ That on the said 24th of October our solicitor wrote to the said Mr. Soames  
 “ as follows:—

“ 20, St. Andrew's Street, Dublin,  
 “ 24th October 1888.

“ Times Commission.

“ We wired you to-day over on the other side, but received no reply, owing  
 “ we are sure to the great pressure on your time. The gentlemen you subpoenaed  
 “ will be ready to start for London on receipt of a wire from you. We trust you  
 “ will give them as much notice as possible.

“ Yours truly,  
 “ D. & T. Fitzgerald.”

On the same day Mr. Soames telegraphed as follows:—

“ On writing bank official to-night, no other reply was received by our solicitor.”  
 On the 25th of October I received the following letter from Mr. Soames:—

“ Sir,

“ The Commissioners have appointed Monday next at half-past 10 to hear an  
 “ application by Counsel for John Walter and George Edward Wright, touching  
 “ the disobedience of your banking company to comply with the order of the  
 “ Commissioners of the 17th of September last, and which has been duly served.  
 “ I am directed by the Commissioners to apprise you of their intention to make  
 “ this application, in order to afford you an opportunity of being heard. My  
 “ company felt that it being their plain duty as bankers not to disclose their  
 “ customers' accounts, they would, after the advice which they had received from  
 “ counsel, be acting contrary to such duty in allowing any inspection of such  
 “ accounts unless compelled to do so by the decision of a Court of competent  
 “ jurisdiction, made after full discussion. Their only desire has been to do their  
 “ duty to their customers, and they have never intended to act disrespectfully to  
 “ this Honourable Commission.”

I do not want to prolong this argument if the books are here in the case of  
 the Hibernia Bank, but now their position which they take up is that we are



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[Continued.]

not to be allowed to see them, and I shall ask your Lordships to treat the books as in the custody of the Commission, and to allow us to inspect those books instead of inspecting the copies. I think, when I remind your Lordships that the Bankers Books Evidence Act provides that upon the application of any party to a legal proceeding the Court may order that such party be at liberty to inspect and take copies of entries in the banker's books, and that, as I have already pointed out, the original could not be used, if the copy could be obtained, it follows without any further argument that my clients are entitled to see and inspect these banker's books, and the objection taken by my learned friend's clients, as to his desire to protect his customers, has no reasonable force.

(*The President.*) Well, it is a respectable position to take up, that they will not disclose their clients' secrets until they are ordered by a competent Court.

(*The Attorney-General.*) Now, with regard to the National Bank, I understand they have an office in London. They have made no affidavit. The order has been served upon them. I could not in their case apply to see the original books until I had taken procedure under the Bankers Book Act of 1879. I shall therefore ask your Lordships in that case, either to enforce the order for the inspection of the books, or to order the production of the original books with the same rights of inspection as those I submit we are entitled to in the case of the Hibernian Bank. With regard to the Munster Bank, who do not appear, and who have made no affidavit, of course I make a similar application. I need scarcely remind your Lordships that the effect of this 42 & 43 Vict. c. 11 is to make the entries in the copies of the banker's books evidence for the purpose of laying before the Court what are the state of the transactions between the customers and the bank. I do not think I need trouble your Lordships any further.

(*Sir Walter Phillimore.*) I appear with my friend, Mr. Fitzgerald, in this case, and I beg to draw your Lordship's attention to what I take as a notice of motion.

"Sir,

"The Commissioners have appointed Monday next at half-past 10 to hear an application by counsel for John Walter and George Edward Wright, touching the disobedience of your banking company to comply with the orders of the Commissioners of the 17th of September last, and which has been duly served. I am directed by the Commissioners to apprise you of their intention to make this application in order to afford you an opportunity of being heard."

Of course, in the ordinary course, one would have said that that was not a very regular intimation, but we have taken that as an intimation, and an application to enforce the process for contempt to enforce obedience to the order of the 17th of September, and that being the case, I am here to submit that that order was made outside your Lordships' jurisdiction for reasons which I will give.

(*The President.*) No, our time is very very valuable, and I understand from that affidavit that the bank has obeyed the *subpoena duces tecum* to bring the books here.

(*Sir Walter Phillimore.*) It is prepared to do it.

(*The President.*) Then we do not want any academical discussion upon the point whether the order is good; if the books are here we order them to be brought into Court.

(*Sir Walter Phillimore.*) I am going to submit, with respect, that your Lordships cannot do that.

(*The President.*) Who is in possession of them?

(*Sir Walter Phillimore.*) It appears my clients.

(*The President.*) By name, who is that?

(*Sir Walter Phillimore.*) I suppose the gentleman who has made this affidavit.

(*The President.*) What is the name?

(*Sir Walter Phillimore.*) Mr. Alfred Tennyson Collins.

(*The President.*) Mr. Collins is in possession of the books here?

(*Sir Walter Phillimore.*) At present I do not feel disposed to answer your Lordship's question further. He will obey the *subpoena duces tecum* when he is called upon it.

(*The President.*) He is called upon it now.

(*Sir Walter Phillimore.*) Will your Lordship kindly allow me to make my argument plain? Unless I state it to your Lordships, you will not understand. Your Lordships have no power to make any order for inspection in Ireland for Irish banking books.



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[Continued.]

(*The President.*) And it is because I anticipated that was your argument that I asked whether the books are here in the custody of some person, and learning they are, I pass over your argument which is irrelevant. The Court is determined to have such books as it is entitled to have, and if any person is here in possession of these books, unless you can show some argument against it, the Court will order him to produce them.

(*Sir Walter Phillimore.*) That is the argument I want to go to.

(*The President.*) Well, go to it.

(*Sir Walter Phillimore.*) Starting with the fact that your Lordships have not the power to have inspection of the books in Ireland.

(*Mr. Justice Smith.*) Do not say that. It is the banker's books in England.

(*Sir Walter Phillimore.*) I think they are not in England; I submit they are not in the eye of the law. You cannot by a side wind enable inspection to be obtained of them. The fact that your Lordship can order my client to appear under the *subpœna duces tecum* is not questioned, but having been called upon the *subpœna duces tecum*, that he must hand in book after book as he is called upon.

(*The President.*) Let him be called.

(*Sir Walter Phillimore.*) When your Lordships think proper.

(*The President.*) That will be the moment you have done.

(*Sir Walter Phillimore.*) Then your Lordships cannot order inspection; that is my point.

(*The President.*) We will hear that when we have got the books.

(*Sir W. Phillimore.*) Your Lordship will pardon me for pressing this matter, and standing strictly on my rights on behalf of my client.

(*The President.*) That is not at all what you are here for. You are here to show some good cause why we should not have these accounts. I have told you to pass away from that to the substantial question which this Commission has to deal with.

(*Sir W. Phillimore.*) I am instructed to appear here to answer that application for contempt, and I have to submit to your Lordship that upon this application that I am entitled to go without day with regard to that, that the order was made *ultra vires*.

(*The President.*) If I can get the books you may go without day indeed, but we will have the books.

(*Sir W. Phillimore.*) When the proper time comes; but the question I submit to your Lordship is whether the notice of motion is right.

(*The President.*) We are not bound to decide anything of the kind. It is a proceeding for the purpose of getting the books, and when we have got the books, we shall be willing to listen to what you have to say.

(*Mr. Justice Smith.*) I thought the only point in your mind was to protect the privacy of the customer. Why do not you go to that?

(*Sir W. Phillimore.*) He says any order made after full discussion, and I am here to submit to the Court that assistance which the Court I think ought to have with regard to this matter.

(*The President.*) You are not here to have this discussion. The only object is to get the books.

(*Sir W. Phillimore.*) That may be your Lordships' object, but it is not the object of the notice of motion I am here to discuss.

(*The President.*) Never mind the notice of motion, pass that by *sine die*, we want the books.

(*Sir W. Phillimore.*) When my client is called upon his *subpœna duces tecum* he will produce the books.

(*The President.*) Then we will have him at once.

(*Sir W. Phillimore.*) But I wish to state that it would be convenient at this moment that I should further point out that we submit, and I think it is desirable, that your Lordships should have the argument at once and for all, that your Lordships, when you have got the books, can only deal with them as the witnesses' books. This is not an order ordering inspection of them, but simply requiring the witness, when in the box, to turn to passage after passage as he may be required.

(*The President.*) And if the bank, under colour of protecting their clients' interest, put us to that trouble, we must do it, and we will do it.



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[Continued.]

(*Sir W. Phillimore.*) Your Lordship has used the phrase "under colour." I hope your Lordship does not mean anything more than that it is the bank's desire that it should be done only for the interest of their client.

(*Mr. Justice Smith.*) I should rather think Sir James did mean more, at any rate, I should.

(*Sir W. Phillimore.*) I am sorry your Lordships should think that.

(*The President.*) We must really judge things by the light of ordinary intelligence. What other object can these gentlemen have for keeping up this discussion but that of throwing obstacles in the way of the Court. They have claimed privilege for their clients, and we will consider that when we have the books.

(*Sir C. Russell.*) I wish to say this——

(*The President.*) What have you to do with it?

(*Sir C. Russell.*) I wish to say that, so far as any person whom I represent are clients of the bankers, they have not the slightest objection.

(*The President.*) It is what I should have expected of you. I am very glad to have that disclaimer from you, Sir Charles, of the obstructiveness which it seems is being offered by other persons.

(*Mr. Reid.*) Your Lordships understand I say the same.

(*Mr. Lockwood.*) And if it is necessary, my Lord, I say the same.

(*The President.*) I am very glad to have that. I anticipated that from Counsel engaged in the case. That is quite what I anticipated.

(*Sir W. Phillimore.*) That relieves my clients from a very considerable difficulty.

(*The President.*) No difficulty at all.

(*Sir W. Phillimore.*) I think the only other point I ought to call your Lordships' attention to is this:—The terms of the order issued to us mentions various gentlemen's names. I have not had time or opportunity to study whether all those names are included in the particulars; and I am informed, and I think I may say, that a good many of the persons mentioned are not before your Lordships. I do not know whether you will consider it desirable to have the line drawn with regard to this application. There are certain societies and associations as to which I say nothing. There are various individuals mentioned. Mr. Charles Stewart Parnell, he is, of course, before your Lordships; Mr. Patrick Egan, I think, is not; Mr. Thomas Brennan, Mr. M. J. Kenny, Mr. Joseph E. Kenny, Joseph Biggar, Arthur O'Connor, J. F. Quinn, W. F. Moloney, Mr. Sheridan, Miss Anna Parnell—I think she is not before your Lordships,—Mr. T. M. O'Leary, Mrs. or Miss Clara Stritch, Mr. Timothy Harrington, Mr. Timothy Healy, and Mr. Thomas Sexton. Of course, with regard to every one of those ladies or gentlemen who are here represented to-day, I am relieved from a difficulty, but with regard to the others, I should submit to your Lordships for your consideration, whether any action ought to be taken with regard to the other accounts. I am only acquainted with this matter from the public press, but as far as I know, you Lordships were receiving particulars from "The Times" counsel as to certain persons charged, and "The Times" have not taken any steps to bring before you any parties who have not voluntarily appeared. I am not aware that any one of these parties who have not voluntarily appeared has any notice that he or she is even charged, apart from the public press. Therefore, with regard to the accounts, I should ask your Lordships to consider that.

(*The President.*) I was going to throw out a suggestion. Now that we have happily come to an understanding on the subject, I may ask you, do your clients object to doing that which was really intended in their favor. The Act was passed for the benefit of the bankers, and to save them from the trouble of being obliged to bring their books a very great distance, and that is effected by allowing copies to be put in. If your clients do not object to copies being made, then the copies of those whose names you have referred to as being parties being put in, we will let the other matter stand over.

(*Sir W. Phillimore.*) I beg your Lordship's pardon for one moment. (*After consulting with his client.*) We shall be quite prepared to make copies of the accounts kept by these societies, and by every one of these gentlemen and ladies who being here represented having waived any question of privilege, and leaving the other matter to stand over for your Lordships' future decision without prejudice of course.

(*The President.*) I throw that out.



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(*The Attorney-General.*) I had better indicate to your Lordships at once, that certainly we shall ask to have the entries of all those who are included in our order, because it is by means of some of these subordinate accounts, as we allege, that the moneys were actually distributed. Take Patrick Egan, for instance. He was the treasurer of the League. My friend, Sir Walter Phillimore, I do not know in whose interest, says your Lordships, ought not to order the inspection of Patrick Egan's account. If there is one person that it is desirable to know something about the accounts of, it is Patrick Egan's; but what I desire to point out is, that as to the question of the bank books, it is not for the gentlemen to take the objection he has been able to, that it is for the privacy of his customers' accounts.

(*The President.*) Yes, but the objection takes this form. Sir Walter argues, that we ought not to order the inspection of the accounts of these other people.

(*Sir W. Phillimore.*) Until they have had an opportunity of appearing, and process has been served upon them.

(*The Attorney-General.*) If they produce the accounts or the copies of the banker's accounts, I shall ask the witness should attend under on his *subpœna duces tecum*. Your Lordships will then have inspection of them, and give us inspection of them.

(*The learned judges consulted together.*)

(*The President.*) You must argue the question, whether or not our order should not extend to the persons we have not here.

(*Sir W. Phillimore.*) With regard to them, I am quite aware that the Banker's Evidence Act enables orders of this Court to be made *ex parte*, but I have also under my hand a decision of Mr. Justice Day's. I believe on some points it was altered by the Court of Appeal, but on this point it was upheld, and strong comments are made upon the impropriety of the order being made *ex parte*. The case that was being inquired into was whether this could be done without their having an opportunity of seeing whether or not it should be, and I confess, quite apart from that case, I have also thought that this section 7 of the Banker's Evidence Act gave great latitude in its terms, which, unless it was corrected by judicial discretion, might be used to hurt people exceedingly. What Mr. Justice Day says in the case of *Davies v. White*, in the fifty-third volume of the Law Journal, Common Law, page 275, was this: It was an application made to set aside an *ex parte* order made in this way. "In this case, says Mr. Justice Day, I do not hesitate to say that the order of the 11th March was an order which, whether the learned judge had jurisdiction to make it or not, was improperly made *ex parte*, and it indicates to my mind that the person who made the application did not expect to succeed in it if it were upset. The general rule of law is, that all proceedings affecting the rights of others are not only to be taken when those other people have had an opportunity of being heard. I must say that I cannot see any good or legitimate reasons for making an application to search through a man's private banking account without giving him notice that such an application is about to be made, and it is fortunate that the London and County Bank acted as one would expect that any respectable bank would act, and gave notice to their customer before they allowed his private banking account to be investigated in this way." Those are the observations upon which I rely. I am quite aware, as I said, that the 7th section of the Banker's Evidence Act does give the very largest powers. "On the application of any party to a legal proceeding, a court or judge may order that such party be at liberty to inspect and take copies of any entries in a banker's book for any of the purposes of such proceedings. An order under this section made, be made either with or without summoning the bank or any other party, and shall be served on the bank three clear days before the same is to be obeyed, unless the court or judge otherwise directs." Nothing could be larger than those words; but surely it is obvious. To take the most familiar case of a tradesman who has an action against a gentleman for ordinary goods, that that tradesman should be entitled, because the gentleman is disputing the quality of the goods supplied, or anything of that kind, to go, and without notice to the customer, get inspection of his whole account, having no limit as to secrecy, and is able therefore to go and spread all about the town any single fact that he finds in his customer's account, it is, of course, obvious that a power of that kind may be used for very illegitimate purposes. Therefore what I do venture to submit to your Lordships is this:—Take the name which appears first, which is a somewhat notorious one, Patrick Egan. If he does not appear, we shall not be able to have his account disclosed. But, at any rate, your Lordships will not make an order on my bank, if it



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[Continued.]

has Mr. Egan as a customer, to disclose these proceedings without Mr. Egan having had some formal notice of the proceedings under this Commission. That is my submission with regard to that, and, if I may pass from Mr. Egan's name to another, the name of a person who I am informed does not appear, I would take the name of one of these ladies, Miss Anna Parnell or Miss Clara Stritch. I submit to your Lordships, and I think it is my duty to do so, that your Lordships will not make this order without first having heard what these people have to say. I am released with regard to others; possibly I may be released if these parties appear. At present I am not. With regard to the other matter I do not want to go back to anything which in any sense may show that I am endeavouring to evade jurisdiction, but I would point out that the only way in which your Lordship can do this is through the process on the subject, because the Banker's Book Evidence Act expressly enables the English Court of Justice to make orders as to England, and enables the Irish Court of Justice to make orders as to Ireland; and as appears in this affidavit which the Attorney-General has read before your Lordships somewhat hastily, this actual point was raised in the action of *O'Donnell and Walter*, and "The Times" got an order.

(*The Attorney-General.*) I do not think that is it. I think you are mistaken.

(*Sir W. Phillimore.*) We so swear and are so instructed, and I can give you the name of the judge, it was Mr. Justice Holmes. I am told that the Irish reports are not yet up to date. It was last June, and the point was taken from the Irish Judge or Irish Court, I was told even to the Divisional Court. My friend, Mr. Wheeler, knows about that, that the English Court could not have jurisdiction to disclose a banker's books in Ireland, any more than an Irish Court would have jurisdiction to disclose a banker's book in England, and as a matter of fact, the production was not enforced. I have looked at your Lordship's Commission, and I see that you, while having the power of Her Majesty's High Court of Justice, have not the power of Her Majesty's High Court of Justice in Ireland with regard to this. Your Lordships have all the powers of the High Court of Justice in England, but you have not the powers of the High Court of Justice in Ireland.

(*Mr. Wheeler.*) I appear for the National Bank, and they desire me to say in the clearest way that they are not acting in any spirit of contumacy to your Lordships in any way, they are simply here in obedience to your Lordships' order. No order has been served on the National Bank that they would have been justified in obeying. That was the view they took, and a case was submitted to the most eminent counsel in Ireland, and that was the view they were advised to take.

(*The President.*) I understand the National Bank has its head-quarters in London.

(*Mr. Wheeler.*) No, it has an office in London.

(*The Attorney-General.*) Head office in London.

(*Mr. Wheeler.*) I believe altogether the National Bank has some seven offices in England.

(*The President.*) Where is the head office.

(*Mr. Wheeler.*) I really cannot tell your Lordship where the head office is. They have an office in London, in Broad Street, and they have an office of equal or greater magnitude in Dublin, and 94 other offices.

(*The President.*) I do not care about the 94; where do the directors meet.

(*Mr. Wheeler.*) The directors meet in London I am told. The summons issuing or purporting to issue from your Lordship's court or secretary was served at Dublin. It is no order in any shape, form, or way, at all that I can see, but it is an order on the representatives or agent of "The Times" to take copies. There is no direction or order in any shape or way upon any servant, secretary, manager, or director of the board, to show or disclose their books; and what took place, so far as I am able to ascertain, was this, that some gentleman appears at the bank, does not get the inspection desired, and he no doubt was thrown upon your Lordship's summons, to which it will be my duty to call your Lordship's attention in a moment. There is no summons on any person whatever, but that is not the kind of objection which the National Bank wish to bring before your Lordships to-day. The main objection depends on the construction of the Act under which your Lordships are sitting to-day.

(*Mr. Justice Smith.*) Mr. Wheeler, if you are an Irish bank, do you deny that we can issue a *subpoena duces tecum* to the Irish bank.

(*Mr. Wheeler.*) It is not necessary for me to answer that.



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(Mr. Justice Smith.) I should like you to argue that. Do you deny or not that we can issue a *subpœna duces tecum* to order the bank to produce the books.

(Mr. Wheeler.) I am not disposed to argue that. I think your Lordships could.

(Mr. Justice Smith.) I think so too; the statute says you can. Start with that, we can subpœna you to come over here with your original books. It is in your favour, and you resent it.

(Mr. Wheeler.) It is not in the least a question of resentment at all. It is not a matter of contumacy or disregard to your Lordship's order, it is that they desire to place this before your Lordships for your decision strictly. The application of the 17th September was undoubtedly under the Bankers Act.

(The President.) Who is the officer in possession of these books.

(Mr. Wheeler.) They are in Dublin. There are no books here. Just one moment, and one moment only. I will call your Lordship's attention to the fact that this summons or order is to inspect and take copies of certain books which are in Dublin, showing dealings and transactions between certain persons, some of whom I understand are represented by my learned friends, but some of whom, as I understand, are not. I do not know, for instance, if a gentleman of the name of Dawson is represented, who is mentioned here, or a firm carrying on the business of Egan and Rourke, or Thomas Brennan, Harold Rylett, or John McSweeney. I do not know that any of the customers of the Bank are represented before your Lordships. But this summons says this: We desire to take copies of entries of accounts for various purposes. This summons undoubtedly was issued under what would appear to be the power of the second section of the Act under which your Lordships are constituted as a Special Commission. "The Commissioners shall, for the purposes of the inquiry under this Act, have, in addition to the special powers herein-after provided"—although it is by no means easy to see what those special powers are—your Lordships are to have "all such powers, rights, and privileges as are vested in Her Majesty's High Court of Justice, or in any judge thereof, on the occasion of any action, including all powers, rights, and privileges in respect of the following matters: (1) the enforcing the attendance of witnesses, and examining them on oath, affirmation, or promise and declaration; and (2) the compelling the production of documents." I have to point out that this is not an application for compelling the production of documents, and if the summons is not for this purpose in an application of this kind, as has been decided by the Court of Chancery, it is not an application for discovery. Of course I fully admit that the application can be made *ex parte*, and without giving notice to the customer, although the recent case in the Court of Appeal of *Arnold v. Hayes*, reported in the 36 Law Reports, Chancery Division, page 731, while deciding it was competent for the Court to act in the absence of affidavits, nevertheless points out that it is most desirable that means should be taken to see that the application is a *bonâ fide* application, and not productive of injury to the Bank, or to its customers. As I have already pointed out, some of these people whose names I have mentioned, do not seem to be represented before your Lordships. Then, when the Bank took this view, which I respectfully say they were bound to take, they also had before them the decision of the Irish Court of Queen's Bench in the case of *O'Donnell against "The Times."* In that case, as I understand, an order was obtained in England for the inspection of the books of the Hibernian Bank in Ireland. That order was not proceeded with, but abandoned, whereupon the defendants in that action took out a summons, which the court in Ireland (whether it was originally heard in the Divisional Court I cannot tell your Lordships, but it was heard on the 16th May in the present year,) when the Court of Queen's Bench in Ireland decided that, as there was no pending litigation in Ireland, they had no jurisdiction in the matter, the summons originally having been taken out here, was abandoned. Just one word, and one word only, upon this point. As to your Lordships' powers under the special Act, to which I have called your attention, which gives your Lordships certain exceptional powers in addition to the powers of the High Court of Justice. If your Lordships look at the language of the Bankers' Act, 41 & 42 Vict. c. 11, this is an application, as your Lordships will see, under section 7, and the judge there, who is to make the order is the judge who is subsequently defined in the interpretation clause thus, (clause 10). A judge means, with reference to England, a judge of the High Court of Justice, and with respect to Scotland, a Lord Ordinary of the outer house of the Court of Session, and with respect to Ireland, a judge of the High Court of Justice in Ireland. Therefore I have respectfully to point

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out to your Lordships that a judge there who makes the order must be a Judge of the High Court of that country in which the action is depending in truth and in fact. That is what the Court of Queen's Bench has decided. Therefore, your Lordships, acting without that section, are acting within the other section, the powers of the High Court alone. And the Court in Ireland would act alone within the jurisdiction of the Irish Court. That is all that it is my duty, so far as I know, on behalf of my clients, to place before your Lordships. That they acted in this matter upon the opinion of the most eminent counsel, who advise that this is the interpretation of the Act under which your Lordships act, and of the Bankers' Act. What other steps your Lordships may think fit to take, it is not for me to indicate, or even to suggest; with that view I will leave the matter in your Lordships' hands.

(*The Attorney-General.*) I desire to make one or two observations in reply, particularly on the point that the order for the inspection of the books should be confined to persons who have appeared. In the first place, I take the case of the Hibernian Bank.

(*Sir W. Phillimore.*) I did not say "appeared," I said, "who had appeared and "been served"; who had had some opportunity or intimation.

(*The Attorney-General.*) There is no such thing as being served. However, with regard to the Hibernian Bank, I am informed, of course, I can only state that, that the books are here. Mr. Collins, the Secretary, has been in Court. The books are in the Chancery Lane Safe Deposit; and with regard to the question which Sir Walter Phillimore declined at the time to answer at my request, I shall be prepared to prove that upon affidavit, if necessary. I shall be able to give evidence that the books are actually within your Lordships' jurisdiction at the present moment. With regard to notice being given to those other persons —

(*The President.*) We need not trouble you upon that point, Mr. Attorney.

(*The Attorney-General.*) I only wish to say that I will myself, if it be necessary, show to your Lordships, affidavits which have already been filed, and which are before the Commission, that every one of these persons' accounts are sworn to be material.

(*Sir W. Phillimore.*) I have not seen any of the affidavits.

(*The Attorney-General.*) It is not for you.

(*The President.*) We have already explained that the powers with which the Commission is armed are for the purpose of obtaining such evidence as may be necessary in prosecuting the inquiry which has been committed to them. And I put aside every other consideration but those which bear upon the question. How is this Commission under the powers which it possesses, to obtain such evidence as it considers material? With regard to the observations of my brother Day in the case which has been cited of Davis and White, I entirely agree. They express in other words the same idea which I had myself, when I said I thought the objection was a respectable one, and not to be discarded as unworthy of consideration, that the banks desire to protect their clients' interest, and only to act under the order of a competent court. In the same spirit, when it was pointed out to me some days ago that this might resolve itself into an application for committal for contempt of court, I said of course, nothing would be done without giving the banks an opportunity of being heard; and, accordingly, they have been heard to-day; but having heard the arguments that have been addressed to us, we entertain no doubt that these accounts must be inspected. Dealing with them in order, the Hibernian Bank appears to be a bank located in Dublin; but we have learned from the affidavit which has been read, that the officer of that bank, Mr. Collins, has brought over the books of the Bank to this country, and that they are now here. It may be that if the strict process, the formal process of taking evidence were gone through, it would be necessary to call Mr. Collins now into the box, and call upon him upon his *subpœna duces tecum* to produce these books. If he had done, so they would be taken possession of by the Court, and it would not be for Mr. Collins or the Bank to dictate to the Court the manner in which those documents, brought into Court, and in possession of the Court, should be dealt with. And therefore as I must assume that there is not any intention—it has been disavowed—to throw difficulties in the way of the Court, I am content to take the statement made on behalf of the Hibernian Bank, that our decision being given, there will be no further difficulty thrown in the way. Therefore I assume that either the books themselves will be left in the custody of the Court, or



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copies of the accounts will be allowed to be taken for the purposes of the case. With regard to the National Bank, it has not been denied, and as to that, I assume, unless something to the contrary is said, that the parties will not be put to the trouble of making an affidavit to show that the head-quarters of the National Bank are in London. And assuming that to be the case, and if no *subpœna duces tecum* has been served upon the officers or directors of the National Bank in London, then I direct that that be done, so that the books may also be brought within the jurisdiction of the Court, and let it be observed that the head quarters of the Bank are in London; it makes no difference that the books are in Dublin, they are within the control of the directors who have their place of business in London. With regard to the Munster Bank, of course they are not here, and we should only have dealt with them in the same way that we should deal with the Hibernian Bank and the National Bank after having heard the arguments that they have thought fit to make. Therefore, I say again, with regard to the Munster Bank, if a *subpœna duces tecum* has not been served upon them, it must be served upon them. Now there remains only the question with regard to the persons who have appeared here, and therefore, as it has been suggested, they are not under our control, we are of opinion that this is not the true view of the case. Undoubtedly this power of acting *ex parte* is one which should be exercised by the Court, or any Court which should exercise it, with the greatest care, but we entertain no doubt whatever that the circumstances of this case are fully sufficient to warrant our making such an order, and accordingly we do make that order.

(*Sir W. Phillimore.*) I should like to comply with your Lordship's order, and to be protected I should like everything to be done in the most formal manner. Will your Lordships allow this gentleman to be called on his *subpœna*?

(*The President.*) Certainly.

Mr. COLLINS was called and entered the witness box.

(*The President.*) Mr. Collins, you have been *subpœnaed* on a *subpœna duces tecum*?

(*Mr. Collins.*) Yes, my Lord.

(*The President.*) Do you produce the books?

(*Mr. Collins.*) They are not in Court, but they are in London.

(*The President.*) Will you be kind enough to cause them to be brought here?

(*Mr. Collins.*) Yes, my Lord.

(*Mr. Healy.*) I am one of the parties to the action. I have been hitherto represented by my friend Mr. Reid, who would have stated, had he not left the Court, that I now intend to appear for myself. I am one of the parties. My name is Healy. I wish to ask whether it would be competent for me to ask this gentleman a question. He is not sworn.

(*The President.*) No. He is not sworn. If you desire to treat him as a witness you will be able to call him. He is only called on his *subpœna*.

(*Mr. Healy.*) I wanted to ask him a question.

(*The President.*) He is not to answer on oath now.

(*Mr. Healy.*) I wish now to make an application to your Lordship with reference to a matter upon this point.

(*The President.*) Upon this point of the bankers' books?

(*Mr. Healy.*) Yes.

(*The President.*) What is it?

(*Mr. Healy.*) I understood your Lordship to say that the bank might avail themselves of the facility of the Bankers' Act to only produce the copies of particular accounts, one of these accounts being my own, and I wish to ask your Lordship whether it would not be open to the parties themselves who are incriminated here to examine the books for themselves.

(*The President.*) Of course you are entitled to examine your own accounts.

(*Mr. Healy.*) In that view I would ask your Lordship to allow the books to remain here in the custody of your Lordship's Court, and not to have mere copies of particular accounts made, because it would be a great convenience, as I am advised, with regard to the allegation of conspiracy which we make against certain parties, if the books as a whole were allowed to be here.

(*The President.*) You do not object to leaving them here, or do you?

(*The Witness.*) Well, my Lord, that is a matter in which I would like to be guided by counsel.



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(*The President.*) Quite so; and I have already indicated it is for the convenience of the bank, and of course if the bank does not assent to that which is suggested, which is that they should be left, then we shall be obliged to proceed in due course to enforce our order, namely, that inspection should be had, and copies taken by the parties, and if Mr. Healy desired the books to be here, he would be obliged to enforce that by a *subpœna duces tecum* on his part.

(*Mr. Healy.*) I also intended, I may say, at the close of the present proceedings, to apply for a cross order for the inspection of the bankers' books.

(*Sir W. Phillimore.*) It is merely a question of convenience. I think the balance of convenience would be served by leaving these books. I think, physically, it would be almost impossible to bring them into Court. Probably the safest plan would be to hand over the books to the Chancery Lane Deposit Company, and leave the keys in the hands of the Secretary.

(*The Attorney-General.*) To my clients it makes no difference whether we inspect books or copies; but if the Bank avail themselves of the Bankers Act, your Lordship no doubt would order that extracts should be verified by affidavit.

(*Sir W. Phillimore.*) We should much prefer to see the books.

(*The President.*) I think that is the best solution, and it meets Mr. Healy's suggestion. Of course, on any application made by Mr. Healy, he would have the opportunity of inspecting and taking copies. Then let it be so—the books are to remain here.

(*Sir W. Phillimore.*) We will give the key to your Lordship's officer.

(*The President.*) Yes.

(*Sir W. Phillimore.*) Then I think I should mention that the subpœna is not only for books, but for paid cheques, minute books, and ledgers. I understand with regard to cheques that the practice of Irish banks, and, at any rate, of this bank is to return all cheques. What I wish to be understood is that this gentleman produces what he understands to be in obedience to the subpœna, and my friends must not expect to find everything they put in the subpœna, because we have not got it.

(*The President.*) That must be stated on affidavit.

(*Sir W. Phillimore.*) We are subpœnaed to produce so and so. The proper way would be perhaps that this witness should say exactly what he produces.

(*The President.*) I only asked him if he produced the books. Now I understand you to say he does not produce them all.

(*Sir W. Phillimore.*) He does produce the books.

(*The President.*) What is the order?

(*Sir W. Phillimore.*) "The book or books containing the signatures of the several customers." Then follows a long list. Then the second thing "Paid cheques;" third, "the minute book and books of the bank containing any entry relating to or authorising any advance to certain societies; fourthly, all the ledgers, cash, and other books at the bank kept at its head office and all its branches in Dublin in 1879, 1880, 1881, 1882, and 1883." I believe all those are produced except the books—

(*The President.*) It stands thus: he does not produce all the books contained in the subpœna.

(*Sir W. Phillimore.*) No; that is what I wished your Lordship to understand at once.

(*The President.*) If that is insisted upon we shall require an explanation on affidavit why he does not produce them.

(*Sir W. Phillimore.*) It does not very much matter, but I do not think, with submission, that is the practice. He is subpœnaed to produce certain things. If he is asked, "Do you produce A and B and C?" he would say, "I produce A and B." It would be for my friend to examine him as to whether he produces C. I wish your Lordship to understand he does not produce the books.

(*The President.*) What do you say as to the cheques?

(*The Attorney-General.*) When my clients inspect the books and documents I shall see if this gentleman has substantially obeyed the subpœna. I have no doubt he has. This is the first intimation given to us that they do not possess any of the cheques. Of course we may be able to see from inspection of the books whether we require further information upon that.

(*The President.*) It will lie upon you to show that they have not done what they were ordered to do.



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(*The Attorney-General.*) When we see the books and documents produced we shall be able to judge whether or not the cheques have been returned, and when returned is a matter we know nothing about.

(*Sir W. Phillimore.*) That you must examine the witness about.

(*The President.*) Yes, that must be got at. I cannot take it from a witness who is not sworn.

(*The Attorney-General.*) I should not think of attempting to deal with it now, nor would it be right in the case of a witness called on *subpœna duces tecum*. That would be a matter for witnesses subsequently called from the bank.

(*Sir W. Phillimore.*) This gentleman, and I think another gentleman included in the *subpœna*, may for the present go, and he will have notice when he is to attend on his *subpœna* to be examined.

(*The President.*) Quite so, when he has handed over the key or the keys.

(*Mr. Wheeler.*) I understand your Lordship to direct that it be served on the bank in London.

(*The President.*) Yes; if you say they do not intend to do as the other bank has done.

(*Mr. Wheeler.*) Of course, my Lord, we shall. But here it is only right for me to say, it must not be assumed we have the accounts which are mentioned in the summons; only a very very small portion.

(*The President.*) A *subpœna duces tecum* is issued in that case, and we must examine the officer.

(*Mr. Healy.*) Has your Lordship any objection to letting me see a copy of the affidavit upon which "The Times" has got the order for inspecting the banking books?

(*The President.*) Yes.

(*The Attorney-General.*) They are with the secretary. I handed them back a moment or two ago.

(*The Secretary.*) There were four given to you but only three handed back.

(*The Attorney-General.*) I think there were only three.

(*The Secretary.*) The National Bank, Dublin. I have not the National Bank, London. There were four altogether.

[*The other affidavit was then handed in.*]

(*Sir W. Phillimore.*) I am sorry to say there is a further complication which has not occurred to me in the point of view of the bank, which is, that there must be some guide to take these gentlemen to the right accounts. Otherwise they would be looking at the private accounts in the natural course of hunting. I am afraid some official must stay from the bank, and I think I must ask your Lordship to say that he must be present whenever an inspection is made.

(*The President.*) I think that is reasonable.

(*Sir W. Phillimore.*) And he can act as an index to guide to the right place.

(*The President.*) Quite so. It was to guard against that that the bankers were to have the right to make copies. However, let it be so. We are now ready to proceed.

BERNARD O'MALLEY was then called.

(*Sir C. Russell.*) Before this evidence is gone into, I have to call your Lordships' attention to a disregard of the order which the Court made last Friday. Your Lordship will recollect that I made an application that my friend's clients should be directed to intimate, as soon as they reasonably could, the course of evidence which they were going to follow, in order that we might be prepared to some extent, as far as we could, with a view to cross-examination, with a view to avoiding delay. On Saturday my clients, Messrs. Lewis and Lewis, received the letter which I am about to read from Messrs. Soames & Co., the solicitors for "The Times." "As requested by Sir Charles Russell"—this was not my request, my Lord, the order of the Court was made upon my request.

(*The Attorney-General.*) There was no order of any kind.

(*Sir C. Russell.*) "We write to inform you that in all probability"—

(*The President.*) I do not remember making any order.

(*Sir C. Russell.*) Your Lordship certainly made a direction on my application.

(*The President.*) We expressed approval. I do not recollect giving an order.



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(*Sir C. Russell.*) "We write to inform you that in all probability we shall on Tuesday morning proceed to call evidence to prove the making of the speeches and the occurrence of outrages. It may, however, be necessary to interpose witnesses as to some other points." So that we have no information as to the place, nor as to the time, nor as to the persons who either made the speeches or any information in any way to identify or point to the particular outrages to which reference is here made, nor is there, what apparently would have been a very simple matter to have done, any suggestion of what was the subject-matter of the evidence of the witnesses who, according to this letter, it might be necessary to interpose.

(*The President.*) But, Sir Charles, this was only a matter of arrangement such as constantly takes place between counsel. I am exceedingly sorry if the Attorney-General has disappointed your expectations, but I do not see how we can control it.

(*Sir C. Russell.*) I really think this is a graver matter than your Lordship seems to realise at present. If my learned friends are willing to conduct their case (I do not use the term offensively) in the higgledy-piggledy way in which the case was opened—I mean giving a slice of speeches and a slice of outrages, and another slice of speeches and another slice of outrages—I do not know that we can ever get to the bottom. I think we have a right to call upon your Lordships, and are entitled to call upon your Lordships, that although you could not control, and I do not at all suggest that your Lordships ought to have controlled, the manner in which the Attorney-General thought fit to open the case, your Lordship can control the manner in which the case is conducted, and the evidence. We ask your Lordship to express some opinion of the manner in which speeches made, and acts done, by obscure persons in different parts of the country are given without any kind of order or coherence, and we ought to have some information of the kind of evidence against the persons incriminated.

(*The Attorney-General.*) If I may be allowed to add one word, it is quite clear that if a reply made by counsel is to be treated as my learned friend has thought fit to treat it, there is absolutely an end of the possibility of accommodating or meeting such a request. The request was that I should indicate the course of evidence I proposed to enter upon. That was Sir Charles Russell's own language, "the course of evidence." That I did. All I can say is this—not caring one bit as to the observations which have been made in reference to what we have done—we shall endeavour to prove our case in the ordinary way in which persons who are submitting to a tribunal of this character evidence with regard to a series of charges are entitled to prove their case. We shall endeavour, as far as we possibly can, to keep the heads distinct. More than that, having regard to the difficulty, it is impossible to say. I humbly protest against these observations being made.

(*Sir C. Russell.*) I must respectfully be allowed to add I am not making this as a personal request for my own convenience. I said on Friday it was a matter for my clients, and not for my convenience as counsel, but I say, as a matter of justice, we are entitled to have it. We are here charged with an indictment extending over years, by which it is sought to make us answerable for statements and speeches and acts of persons in all parts of the country; and I say the commonest considerations of justice entitled us to have the fullest and amplest notice which can be given of the evidence in order that we may be prepared. I did ask on Friday to know that was the course of the evidence. Is it any information for me to be told they are going to give evidence of speeches and outrages?

(*The President.*) I can only repeat what I have already said, that this was a request, as I understood it, by Sir Charles Russell for an intimation of the course of evidence which would be given. The Attorney-General undertook to supply that, and I cannot take upon myself to say that he has not given all the information in his power. Certainly we cannot take upon ourselves to give any direction as to the particular class of witnesses that shall be called. It would involve forming a scheme of the case for ourselves before we have heard the evidence. It is only those who have the control of the evidence who can do so. Certainly I do in the most hearty terms express my hope that the matter will be brought forward in an orderly sequence, because otherwise it may become impossible for the Court to deal within any reasonable time with a mass of evidence which does not hang together coherently upon some thread. But really one cannot disregard the fact that experienced counsel are engaged in the case, and, for their own interests as well as that of their clients, will no doubt do their best to put the matter in an orderly form. I can only say I hope every attempt will be



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made to do so; but the Court is not in a position to give any direction on the subject.

(Mr. Healy.) My Lord, at this stage I desire to ask your Lordship whether, as I understand from your Lordship, this inquiry is conducted on judicial principles, the plea of *autrefois acquit* applies. I observe in the particulars with regard to myself speeches with regard to which I have been tried and acquitted. There is no form of plea, I understand, applicable to these present proceedings. I was prosecuted by one of the gentlemen now representing "The Times," who cannot say they are not fully acquainted with and seised of the facts. I wish to ask your Lordship whether it is intended in this Court to re-examine and re-ventilate matters which have already formed the subject of judicial decision and inquiry.

(The President.) There is no necessity for, and no opportunity of, pleading any such plea as *autrefois acquit* in this inquiry. Whatever is the effect of any person now charged having been tried and acquitted must be dealt with when the incidents to which the trial refers comes on for consideration.

(Mr. Healy.) Now, my Lord, I wish to say, with a view of saving the time of the Court, having had that expression of opinion from your Lordship, that with regard to all the speeches that it is proposed to put in against myself, I think it will greatly convenience the public interests and the time of your Lordships, as well as expense if the calling of witnesses was saved. I do not know exactly what the speeches are, but I presume they are taken from the newspapers. I am not quite admitting the accuracy of these speeches. I do not desire to raise any point about them, but if there is any form known to your Lordship by which the part I have taken in public affairs, and the speeches I have delivered, could be admitted, I should be most happy, now and hereafter, to admit them. I wish to know, my Lord, whether I shall be facilitated to the extent of taking my admission of any speech the Attorney-General likes to put in against me, without the necessity of a procession of witnesses. I further wish to ask your Lordship this question: I understand the learned Attorney-General in his speech connected the entire body of gentlemen together, and I wish to ask your Lordship whether any facility is to be offered to Defendants with regard to the time at which witnesses are to be called affecting themselves. It was apprehended at one stage of these proceedings that a principal matter of your Lordships' investigation would be the matter affecting the honourable gentleman, the member for Cork in certain letters charged against him. That expectation apparently has disappeared; and having this in view I wish to know whether the convenience of gentlemen will be consulted as to the order of evidence to be presented in respect of themselves, and I would submit to your Lordships and to the Court, that no harm could come to the interests of what is called justice, if the speeches and accusations regarding individuals were made, or with regard to these individuals were made at a particular time as the case of each individual came up. For my own part I have business to attend to elsewhere. I have no desire whatever to be present here while the criminality of Mr. O'Donovan Rossa or Mr. "Scrab" Nally is being referred to. Therefore, I respectfully ask your Lordship to say, for the convenience of parties, if a segregation is to be made in the class of evidence to be offered.

(The President.) I quite understand what you say.

(Mr. Healy.) Of course the Attorney-General cannot say what he will do on a given day—when he will give evidence with regard to a given individual. But at any rate I should ask that we might be informed approximately when our crimes and misdemeanors will be inquired into. I presume, as your Lordships, in conducting this Irish inquiry, are sitting in London and not in Ireland the convenience of Irishmen who are brought over from Ireland at great expense and inconvenience to themselves is a matter to be considered.

(The Attorney-General.) As far as I can I will do so. I will do my best when evidence is going to be given of any particular matter relating to a particular individual to give notice of it. But with reference to the main proof of the speeches we shall prove before your Lordship, or bring evidence before your Lordship to prove, that speeches were delivered in pursuance of a common plan and organisation, and it would be impossible for us to pick out any particular individuals, at any rate in the first instance.



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(*The President.*) I cannot give any direction on the subject. I can only express again a hope that the Attorney-General and those who are with him will give information of the class of evidence which it is intended to offer on a particular occasion. I can do no more than express that wish.

(*Mr. Healy.*) I thank your Lordship. Your Lordship has not expressed any opinion with regard to the former portion of my application, that is, as to the saving of public time.

(*The President.*) That again, the Court cannot determine. But it would be a very great assistance, I have no doubt, if you and anyone else in your position should say they do not require formal evidence to be given of what has been said at a particular meeting, taking a particular report; but that, of course, I cannot give any direction upon.

(*Mr. Healy.*) I desire then, for myself, to state, that having read "Parnellism and Crime," with regard to all the speeches I have read in the "Freeman's Journal," I desire to state I publicly admit having made them, and being proud of them as far as I am concerned.

(*The President.*) Very well.

(*Mr. R. T. Reid.*) May I say this with regard to the point my friend, Mr. Healy, made. Sir Charles Russell desires I should say it. If the Attorney-General will give us copies of the speeches which he desires to prove, we will endeavour as far as possible to admit those speeches. We will give him notice of those we are not prepared to admit.

(*The President.*) Very well. That will be acted upon.

BERNARD O'MALLEY sworn; examined by Sir H. James.

(*Sir H. James.*) For the assistance of the Court, and also for the assistance of my friend, will your Lordship allow me to state what sequence we purpose taking this in, so that my friend may recur to what has occurred. We purpose taking by means of this witness the proof of speeches in the county of Galway. My Lord, they will commence, of course, at the earliest date—commencing therefore in the year 1880. This witness is one of many as to Galway speeches. We take these speeches. He proves them in order of time. As I proceed I purpose taking the speeches as my learned friend the Attorney-General referred to them, and I will give my friend Sir Charles Russell, and mention to the Court where in the record of the speeches on the shorthand writers' notes, the reference to the speech will appear in the Attorney-General's speech.

1. I believe you are an officer in the Irish Constabulary force?—I am a head constable.

2. How many years have you been in the service?—Just 22 now.

3. Were you directed to make reports of speeches commencing as far back as the year 1880?—Yes, I was.

4. Were you directed to attend meetings of the Land League?—I was.

5. Do you write shorthand?—I do.

6. And did you take the reports of certain meetings of the Land League in shorthand?—I did. All the reports I took, I took in shorthand.

The first meeting I am referring to the Attorney-General has referred to in the speech. There were one or two interposed. The first is dated 25th July 1880. The place of meeting is Milltown, and the reference to it is on page 34 of the Attorney-General's speech, First day, at the bottom of the page.

7. You have your original shorthand writer's notes here?—I have.

Now, my Lord, may I mention this. Perhaps I had better get from the witness.

8. I believe you made a transcript of those notes at the time and forwarded it to the authorities in Dublin?—I did.

9. You have now lately, I believe, had an opportunity, since you have been in London, of seeing a transcript of the notes?—I saw a print of this particular meeting. I did not see the original transcript.

10. Have you, as to this meeting and others, compared that transcript you made at the time again recently with those notes?—Yes, I have.

11. And do they agree?—They do.



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12. Of course it is easier for you, I suppose, to read from the print, but can you refer to the original notes if anyone should require it at any time?—Yes.

To read shorthand writer's notes after a time you have to read slowly. I presume my friend will not object, he having the power to refer to the shorthand writer's note, to his reading the print.

(Sir C. Russell.) Not the least. I did not understand when he stated he saw the print.

(Sir H. James.) It has been sent from Ireland to the Irish Office in England. It is open to my friend as well as to myself. The witness has obtained it, and my friend can obtain it too. This is, of course, for this Commission. It has nothing to do with anything else. For the purpose of the Commission we wished to obtain facilities, and we gave notice for them.

13. Have you got your note of the meeting which took place on the 25th July 1880 at Milltown?—Yes.

14. Did you attend that Land League meeting?—I did.

(Sir C. Russell.) My Lord, I object to this *a priori* description of my learned friend. He had better explain what he means by that.

15. (Sir H. James.) Was there a statement made at the meeting by those speaking that it was a Land League meeting?

(Sir C. Russell.) That is a rather leading question.

I am not sure about this particular meeting; I should want to read it over.

16. (Sir H. James.) Have you read it over?—I have read it over, but not with that view. I could not say, because it is generally said they are Land League meetings.

17. You were told to attend Land League meetings?—Yes.

18. Did you attend this?—Yes.

19. You did attend this meeting?—Yes.

20. Was a person named Thomas Brennan there?—Yes, he was.

Of course we must go by steps. Of course I shall prove Mr. Brennan was there.

21. Was Mr. Thomas Brennan known to you?—He was.

22. You know Mr. Thomas Brennan?—I do; I did know him.

23. Did you see him at other meetings besides this meeting?—I did.

Is he known to you as being an officer of the Land League?

(Sir C. Russell.) Really now, how was he known to him? Pray do not lead. At this time there was no Land League at this place.

(Sir H. James.) This was July 1880. I submit to your Lordship if a person at a public meeting openly states he is so and so, and so and so, although that evidence may be displaced, it is some evidence.

(Sir C. Russell.) I am not objecting to that, but he has not said he so stated, and you have not asked him.

(Sir H. James.) I did. You did not listen to it.

24. Have you ever heard Mr. Brennan state in public he was an officer of the Land League?—I could not say that without reading the notes: I could not remember.

25. You are quite right. Was Mr. Thomas Brennan there?—He was.

26. Did he take part in that meeting?—He did.

27. Did you see a person named Gordon there?—Yes.

28. Do you know what his Christian name is?—"P. J. Gordon," he went by.

29. That is all you know about it?—That is all I know.

30. Did you hear Mr. Thomas Brennan make a speech there?—I did.

Will you refer first to what Thomas Brennan said?

(Sir C. Russell.) Now, my Lord, before the speech is read, I do take the objection formally that your Lordships, even if this is admissible evidence, should intimate that for convenience at least, and for higher reasons too, before you have the proof of these speeches, you should call upon those who represent "The Times" to prove what the Land League was, and prove the connexion of the persons connected with the Land League. I am perfectly aware that in an indictment for conspiracy you may prove the conspiracy and concert from the acts of particular persons. Therefore, your Lordships may say this evidence, if put in that way, is admissible, but surely the convenient and proper course is to let your Lordship know something about what this Land League was, who were at the head of the Land League, and who were the officers of the Land League, and what were the alleged objects of the Land League, before beginning in this way to prove speeches in various parts of the country. At



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this time I am informed there was, as a matter of fact, no Land League at all in this particular place.

(*The Attorney-General.*) With reference to the objection of my learned friend Sir Charles Russell, I desire to remind your Lordship that he took and succeeded in an objection that the Commission was a Commission to inquire into the acts of individuals—the acts of persons. I told your Lordship it would be my case to show that a number of persons, many of whose names are included in the particulars, combined together and conspired together with a certain object. I propose to prove, as the substantive part of the opening of my case, a series of overt acts in which these persons took part, and, for the purpose of the proof of the conspiracy, it would not matter whether they were called the Land League or not. As a matter of fact, that was the name by which the organisation was known; but I propose to prove the case strictly, as your Lordship said, by dealing with the charges which were made respecting certain individuals, and the individuals with whom I will undertake to prove Mr. Parnell and Mr. Biggar and others were intimately associated, were, among others, Mr. T. Brennan, who was the treasurer. I shall prove him to have been the secretary or treasurer of the Land League, and that that organisation was started on the 21st October 1879. So that it is not the fact that, at the time this speech was made, there was no such organisation as the Land League.

(*Sir C. Russell.*) I did not say so.

(*The Attorney-General.*) Will my learned friend pardon me for a moment. With reference to there being no such organisation as the Land League in this particular place, it is because these gentlemen went down to start the Land League in that place, that the speech becomes material.

(*The President.*) The only thing that I can say upon the subject is this, that the counsel on the one side and on the other must take it that the giving of the evidence must be conducted on the same principle as it would be if this were an indictment for conspiracy, and it has now been long known that it is not necessary to prove in the first instance the particular combination, but that evidence may be given generally, from which the tribunal which has to determine the matter draws its inferences as to whether the combination existed, and for what purposes. Therefore this evidence appears to me to be admissible.

(*Sir C. Russell.*) Would it not, in the ordinary case of conspiracy, be necessary to prove some connexion between the persons, if you refer to it to prove conspiracy?

(*The President.*) There is no particular time at which that evidence must be given. As a matter of course (I did not think it necessary to say that), the connexion of the particular individuals must be shown at some time or other.

31. (*Sir H. James.*) Now, I think you have the speech of Thomas Brennan. With my friend's permission you may read from the transcript?—Shall I read the whole of it?

I have got a part commencing "An onslaught has been made." That is the extract we have made. I think your Lordship has a copy of this. It is at page 4. It is one of the early speeches read by the Attorney-General—the extract read by him.

(*Mr. Justice A. L. Smith.*) Have you another copy?

32. (*Sir H. James.*) It shall be handed. It is Milltown, 25th July 1880. Read, if you please, commencing, "An onslaught has been made"?—"An onslaught has been made on the system which degrades labour in Ireland. (Great groans, and cries of "down with them"; "To Hell with them.") A heavy blow has been struck at caste in Ireland."

33. (*Sir C. Russell.*) So that after "Great groans, and cries of 'Down with them' "?—"To Hell with them," and "Down with them." "A heavy blow has been struck at caste in Ireland, but that system is not dead; and we shall continue to strike until we shall bring about a state of affairs that man shall be judged, not according to his birth, but when labour, not idleness, shall be the recognised system. When last I was in Milltown I made use of an expression that has been often quoted against me. I am not here to day to recall that expression, but I will repeat it."

(*Sir C. Russell.*) We do not follow this gentleman.

(*The President.*) I cannot follow him at all.

(*Sir H. James.*) Will your Lordship allow me to explain what this is.

(*The President.*) I meant I could not hear or understand what he said.



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(Sir H. James.) Will you let me look at that?

[The witness handed the document to Sir H. James.]

34. I do not know whether your Lordship would think it would be a little more intelligible if I were to read it, the witness having said it was correct. Is this the whole of Mr. Brennan's speech?—Yes.

(Sir H. James.) We have taken out an extract. The practical question will arise how far it will be necessary to read the whole of these speeches when portions of them are not important.

(Sir C. Russell.) It is not merely an extract. If your Lordship will refer to the Attorney-General's citation, it is given as if it was a passage which was consecutive, but as the witness has read it, he has introduced a sentence which does not appear at all there. He has gone down to the length of great groans and cries of "Down with them." Then he goes on, "That system is not dead." Then he interpolates a passage, "A heavy blow has been struck."

(Sir H. James.) May I read this instead of the witness, he having said it was correct?

(Sir C. Russell.) I have not the least objection. I request a copy to be furnished me. I have not the least objection. I said so when my learned friend was opening the case, and I pointed out what turns out to be the case, that this was a mere culling of particular passages. I do not use the word offensively.

(The President.) We came to that conclusion before, and it was arranged that whatever the Attorney-General had, the whole should be handed in; but it was with an intimation from him that it was not the whole.

(Sir C. Russell.) Will you let me have a copy of this?

(Sir H. James.) We have not a copy of this. We have only a copy of what my learned friend the Attorney-General read. It shall be handed in, and put on the note.

(Sir C. Russell.) Perhaps the convenient thing will be for my friend to read what parts he thinks material, and hand it to me, and I will read what I consider material; or, perhaps, the simplest thing would be to read the whole thing.

(Mr. Biggar.) The undertaking, as I understood, of the Attorney-General was that he would give a full copy of every speech of which he quoted a part. That is really what he undertook to do. Now they want to make it appear they only want to give culled portions.

(The President.) No, no.

(Sir H. James.) The practical question is this. When persons make a speech, sometimes they make a very long one, and only a little portion of it is important. We are placed in this position. If we are to read the whole of these speeches, the practical difficulty is very great.

(Sir C. Russell.) I really do think it is the only fair course.

(The President.) I must say, as I said to the Attorney-General, you must read, or give in evidence (you are only reading in place of the witness) that which you think material to your case, and leave it to Sir Charles to supply what he thinks are your deficiencies.

(Mr. Healy.) With great respect I would venture to submit to your Lordship that, not having had an opportunity of reading these speeches ourselves, it is wholly impossible for us to know what limitation the speaker put upon a particular sentence. Therefore I would respectfully submit the proper course is that the entire speech should be read, as the Government insist upon each speech being given. For my part I object (I think it is an irregular course) to the learned gentleman, who now proposes to read the speech, doing so. From a long experience of these police shorthand writers in Ireland I express the opinion that they should not only read, but read from their notes.

(Mr. Davitt.) I wish to make the same objection. I think it is only fair the reporter should read from his notes.

(The President.) I understand the reporter has identified that document as a transcript. Is not that so?

(Sir H. James.) Yes, made at the time.

(The President.) I think that is sufficient. He swears upon his oath that that is a true transcript. It may be therefore referred to.

(Sir H. James.) I will read, at any rate, this speech.



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(Mr. Healy.) I presume on cross-examination it will be open to us to ask him to read his notes.

(The President.) Yes, of course.

(Mr. Healy.) That will be a double process.

(The President.) I am afraid there will be double processes many times.

(Sir H. James.) This is an objection which generally cures itself. My clients have never had this transcript in their possession to furnish a copy to my friend.

[The document was put in and read, and was as follows.]

“MILLTOWN, 25th July 1880.

“Mr. Thomas Brennan on coming forward was received with loud and long continued cheers. He said:—Mr. Chairman and men of Galway and Mayo, it is just 12 months since last I had the honour of addressing you from this place. The land agitation was then in its infancy, and we all remember how the members that composed, and the organization that characterised, the Milltown meeting struck terror in the hearts of the enemies of the people. We have to day, thank God, the same array of the manhood of the country. We have evidence of even a more perfect organization in the self-reliance and determination of men that, with martial tread, have just taken up their position around this car to-day. When we review the history of the past year, we may, I think, be satisfied with the progress which our cause has made. An onslaught has been made on the system which degrades labour in Ireland (great groans, and cries of ‘Down with them; to Hell with them.’) A heavy blow has been struck at caste in Ireland” [I read it literally] “but that system is not dead, and we shall continue to strike until we shall bring about a state of affairs that man shall be judged, not according to his birth, but when labour, not idleness, shall be the recognised system. When last I was in Milltown I made use of an expression that has been often quoted against me. I am not here to-day to recall that expression, but I will repeat it, and say we are in open insurrection against landlordism and we will remain in open insurrection against it until it is out of the power of the few to rob the many of their industry. We are in insurrection against the system that is ruining the country, that is driving its manhood and its beauty to other lands, where the laws are made by persons who are not in league with the enemy, but a Government where the people are protected. Need I endeavour to sketch for you the evils which landlordism has brought upon you. Every man in this assembly has felt, directly or indirectly felt, the weight of this power.

“I need not endeavour to paint for you the evils which landlordism has brought upon your country. These deserted fields bear eloquent testimony. The many ruins that met your view in coming here to-day bear testimony too. Yes, if these old walls could speak they would tell tales that would make the pulse run cold, and here, in the latter end of the nineteenth century, we are threatened with scenes that would reproduce the same things. We will have evictions and deaths, and coffinless graves, and emigrant ships and workhouses. Here is a case, a man has taxed you with a rack-rent in order that he might live in idle licentiousness. You have worked early and late to supply him with a rack-rent, and with all his legalised plunder endeavour to drive you from your homes. (Groans.) Here Mr. Bodkin’s name was mentioned, and a voice said, the coffin is too short for him—his legs must be cut.

“You will be told that your poverty comes from God (groans for Mr. Henry, M.P.), that your evils must be borne without murmuring. This is blasphemy. The God who created you never ordained that you should crouch down to a heap of clay like that. You have passed through a year which has taken all your time and the assistance of your friends to keep you over water (cheers for the Americans and for Parnell). Will you now, when you have the prospect of a good harvest, surrender everything to the man whom” . . . .

Then there is a word, I think, you have not been able to read—

“long supported in idleness? Where was your landlord when you were cultivating the soil? He was in the foreign country; when your hand was on the plough, his was in the dice-box; and will you now give him the harvest? (no, no). Then you must refuse to pay an unjust rent. Any man who pays



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“ an exorbitant rent is not only an enemy to himself but to the common good.  
 “ The whole country must go upon strike upon rack-rent, and in order that  
 “ that strike may be effectual we must have perfect organisation; and the  
 “ first step towards that organisation is to let the people know what their  
 “ rights are. At every meeting of the people at the chapel yard and the  
 “ market place the great truths must be proclaimed to them; and when they  
 “ know they have rights, the power must be created by forming the people into  
 “ local clubs. These clubs must adopt the principles of democracy by showing  
 “ the power of the people. No strength but the people, said John P. Curran, and  
 “ if the people be united, neither the money of the landlords nor the bayonets of  
 “ the police can drive them from the country. (Groans, and cries of to hell with  
 “ them.) We had an instance the other day in Sligo of what unity can do. A  
 “ rent extractor there seized upon a man's cattle for rent. Well, he brought  
 “ them about from town to town, but got no bidder for them; at last he brought  
 “ them to the town of Sligo, put them up for auction, and sold them at 4s. 6d.  
 “ Now we want to make that state of things general. We want that no goods  
 “ shall be bid for, and that no person shall take land. The crops must be allowed  
 “ to rot before any man will be allowed to earn a day's wages to save it. If the  
 “ evictor wants to have it saved, then let him take off his own coat, and learn  
 “ what is honest labour.

“ It will not be necessary to enrol members in the Land League, but you  
 “ must bring the people together. After mass, and at the cross-roads, let the  
 “ people assemble. The Land League is making arrangements for a system of  
 “ pamphleteering, by which every secretary will receive a supply of pamphlets  
 “ to distribute amongst the members of his branch. In this way we want to  
 “ create a system of literature, and then they will know the true from the false.  
 “ This is a movement in favour of the rights of labour, no matter what  
 “ the occupation of the labourer may be. We are in favour of the  
 “ rights of the artizan in his workshop, for the farmer in his fields, the  
 “ farmer and the mechanic, the shopkeeper and the working man. And  
 “ the object is to do away with that system of communism which enables the  
 “ few to take away the fruits of the many. Go on, then, with this movement.  
 “ If you persevere in the future as in the past, you will have the way for a  
 “ brighter state of things in Ireland, when Irishmen will have a Parliament of  
 “ her own, not what John Mitchell called a chapel of ease, but a Parliament that  
 “ will recognise nothing but the sovereign will of the people. God forbid that we  
 “ should forget our system of nationality. When I say Ireland a nation, I mean  
 “ something more than a green flag flying from Dublin Castle. I mean the Irish  
 “ nation for the Irish people. If we had a government in Ireland to-morrow that  
 “ would protect the idler against the worker, I would be against them.

“ A voice: ‘To hell with them’ (groans).

“ All I see here, I think, will agree with me that the highest form of govern-  
 “ ment is a republic (cheers for the republic). Well, you may establish an Irish  
 “ republic on the Irish soil, but as long as the tillers of the soil are forced to  
 “ support an idle class, a republic would be only a mockery. These lands you have  
 “ belongs to you. They belong to you who have saved them with your sweat,  
 “ and there is nothing morally wrong in saying that you will protect their fruits  
 “ with your strong right arms (great cheering).”

35. That was Mr. Brennan's speech?—Yes.

(Sir C. Russell.) Will you let me have this now?

(Sir H. James.) Indeed I will not.

(Sir C. Russell.) I presume, my Lord, this will be printed in the note?

(The President.) Yes.

(Sir C. Russell.) As fully as read?

(The President.) Yes.

(Sir H. James.) The practical position is, the witness has obtained these from the  
 Irish Office. There can be no difficulty, I suppose. I will tear these out and hand  
 them in for the purpose of being printed.

(The President.) Of course I should be very glad if other copies could be supplied.

(Sir H. James.) We have none.



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(*The President.*) In that case, anything that passes in Court must find its place in the official record.

(*Sir H. James.*) If your Lordship pleases.

(*The President.*) I see it is printed.

(*Sir H. James.*) Yes.

(*The President.*) Then probably there are several copies in existence?

(*Sir C. Russell.*) No doubt.

(*Sir H. James.*) We have not them.

(*Sir C. Russell.*) If my friend will apply to the Irish Office and ask for half a dozen copies to be supplied, no doubt they will be supplied if your Lordship will intimate that they are needed.

(*Sir H. James.*) Inquiry will be made if they can be furnished.

(*Sir C. Russell.*) And as regards this report, I may say at once, subject to a question or two, I should judge this gentleman was a competent shorthand writer. I mean from the character of the report, but that is subject to some questions which will be put. Many of them were taken in longhand.

36. (*Sir H. James.*) Taking this to refresh your memory, is that also a transcript of your notes of a speech made by this person, by P. J. Gordon?—It is.

(*Sir H. James.*) I am told the initial represents Patrick Gordon. Again, with my learned friend's permission, I will read that.

(*Sir C. Russell.*) Take your note book in your hand.

(*Sir H. James.*) This is mentioned by the Attorney-General, I think, at the end of page 34, where my friend, the Attorney-General, said Thomas Brennan, the Secretary of the Land League, and Patrick J. Gordon, the organiser of the Land League, spoke.

(*Sir C. Russell.*) I have been intimating to your Lordships, if it is more convenient to your Lordships, as the names are called out (I do not know whether my learned friends will take our statement or not) we are willing to state to your Lordship what our instructions are as to the position of the persons who are the alleged speakers.

(*The President.*) I do not follow that.

(*Sir H. James.*) As far as that goes, I think it is a convenient course to take. I will accept my friend's suggestion gladly.

(*Sir C. Russell.*) Whether he was at that moment or not, Brennan was afterwards, undoubtedly, Secretary of the Land League. It is a mistake to say P. J. Gordon was an organiser. He never was.

(*Sir H. James.*) You make no admission with regard to him?

(*Sir C. Russell.*) No.

(*Sir H. James.*) What I read was from the Attorney-General's statement. I understand my friend makes no admission in regard to Patrick Gordon.

(*Sir C. Russell.*) As my friend called him an organiser, I thought it right to say that is not our information.

(*Sir H. James.*) My friend is quite right. He traverses our information. Now, my Lord, I have the whole of Gordon's speech here. It is of considerable length, and therefore I will read, if you will allow me, that which we rely upon. My friend may say it is not the whole. This comes in the course of the speech, but it shall go in as a whole on the note:—

“ We meet here to denounce the landlords who have plundered you of your lands.”

(*Sir C. Russell.*) Indeed I must ask for the whole of it to be read. I think the last was an important example of the importance of reading the whole speech.

(*The President.*) Yes, but I must adhere to the rule which I have expressed before. It is not incumbent on Sir Henry James to read the whole of the speech.

(*Sir C. Russell.*) No.

(*The President.*) Very well. He therefore should read only those portions to which he desires to call the attention of the Court, and it will be for you, in cross-examination of the witness, to go into the parts which have been left out by Sir Henry James to the fullest extent that you think right.

(*Sir C. Russell.*) Unhappily your Lordship sees I have not got the whole as I am pointing out. They have.

(*Sir H. James.*) We have not.

(*Sir C. Russell.*) You have in this instance.



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(Mr. Healy.) I desire to make this objection. Mr. Brennan is an absent man.

(The President.) You are not entitled to appear for him.

(Mr. Healy.) I am entitled, if your Lordship will hear me.

(The President.) You are not entitled to appear for Brennan.

(Mr. Healy.) I do not. I make the objection on my own part; I make the objection to this extent, though we might be quite satisfied as far as we are personally concerned, that these particular extracts might be read, but I say, in justice to us, as well as to Mr. Brennan, we knowing nothing of Mr. Brennan's speeches, we are entitled to have the entire of his speech read.

(Sir H. James.) Mr. Brennan's has been read.

(Mr. Biggar.) There is another point also. The real object of Sir Henry James is this. It is on purpose to get these quotations in the newspapers. On the notes the full speech will appear to-morrow morning, but no one outside will see it. That is the whole object of Sir Henry James. The only honest way to do is to read the whole consecutive speech and let the public draw their own conclusions.

(Sir H. James.) I cannot quite accept myself translated by Mr. Biggar. I read what is material.

(The President.) That is the only regular course. I indicate what I think the regular course, and it must be followed. You will call attention to the material parts, and Sir Charles Russell will call attention to the other parts. With regard to the statement that he has not seen them, if that be necessary he will postpone his cross-examination until he has had an opportunity of doing so.

(Sir H. James.) My Lord, I will read a great portion of this, in fact nearly all I think Mr. Gordon says.

[The document was put in and read, and was as follows:]

"MILLTOWN, 25th July 1880.

"Mr. P. J. Gordon in seconding the resolution said:—Mr. Chairman, Ladies, and men of Milltown, I am proud of having the honour of addressing you in my own native county. I am standing here to-day in the middle, between Galway and Mayo, and I am proud that that spirit of undying nationality has not been dead in my native town of Tuam. I hope that that spirit shall never die in that county, although it has been asleep for the past year, until noble Mayo has raised up Ireland to-day. I would sometimes say I am not a Galway man, for now I hail from gallant Mayo, Mayo has left a parable to Ireland. In Claremorris the land question has been founded, and to-day the people in the United States and in Canada have watched you, and they expect something from you in the future. We meet here to-day to denounce the landlords who have plundered you of your land. They say the land belongs to them. I deny that. It is God that created the land for the people (great cheering). My friends, we have come here to-day determined, as we did twelve months ago in the town of Milltown, to denounce the land-robber, for that system of landlordism, aided by the Government of England, to rob you first and starve you afterwards. We have met to protest against that system, which the Government have helped to carry out. Why are you begging in your own country? Because you are too cowardly. If you dare to beg of them in the future as you did in the past, they will scoff at you, and say, you don't belong to the Irish race; and, if you don't get it by fair means, I say you should fight for it. I am glad, my friends, that Her Majesty's Government has sent such a number of police here to-day.

"(A voice.—'To Hell with them.')

"Allow me to tell you, my friends, and I will tell you what is a fact, that the Government might think that some of the blood which Bodkin spilled in the town of Tuam (groans, and 'down with him, the robber'), some of the blood which his grandfather spilled on the streets of Tuam, is crying to Heaven to-day for vengeance against his grandson. I will ask you to bear in mind that there is some herkers who will be particular to carry the news to Mr. Bodkin; and let them ask him, does he remember the names of Peter Manning and John M'Grath, who have been thrown out on a cold evening to die like dogs? Does his son want to carry out the same system?

"If you are determined to keep a firm grip of your homes, I say you will not allow Bodkin to drive you from your homes. I tell you I know that man's



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“ character in the past. He carried out a poor unfortunate woman, and had a  
 “ car at the court-house door to carry her off to Galway Gaol. There was no  
 “ crimes against her but following the doctrine laid down by Charles Stewart  
 “ Parnell, and that doctrine I will preach to you, that every man and woman  
 “ shall keep a firm grip on the land. That widow did nothing but what I would  
 “ do, and if I were evicted like that woman I would say, Oh God! you have  
 “ created this land for me, and sooner than die a victim I will die on the spot.  
 “ And if every one proclaimed the system that you would rather die on the  
 “ threshold of your cabin door than be sent to Ballinasloe or the workhouse. If  
 “ you die in the workhouse you have no one to go to your funeral (groans for  
 “ John Barrett, the robber). I cannot expect that every man and woman here  
 “ will follow that doctrine. We have been looked upon as a brave race; we  
 “ fought the battle in the past—aye, I forgot, we will fight in the future—fight  
 “ for the land of your country. Do not fight for the Zululand, they can fight for  
 “ themselves. And if you drew a sword you would not be begging yellow meal  
 “ in Ireland. Some of the landlords sit in the House of Lords, and one of them  
 “ is Lord Oranmore; you may call him Lord Oranmore, but I call him  
 “ Lord Nagreana.”

I do not know what that means.

“ He was once in the city of New York selling pipes. He travelled in the  
 “ streets of New York selling pipes when his father was a bankrupt. Now he  
 “ stands up in the House of Lords, and tells the Lords there that the cause of  
 “ poverty in Ireland is extravagance. He says you eat too much beef and bacon,  
 “ and wear too good clothes. I ask you are there worse clad people on the face  
 “ of the earth? I tell you if you are content in your poverty, you will be begging  
 “ yellow meal all your life. You will get measures in that Government by deter-  
 “ mination. As Mr. Gladstone said, the only measures given to Ireland were  
 “ given by the Fenians. I say, if it is a crime in the eyes of the Government,  
 “ and if every man who says he has a right to the land of his birth is a Fenian,  
 “ I am one. Remember there is a story about the boy in the bush. When the  
 “ old man asked him to come down he would not; when he threw a stick  
 “ at him he laughed, but when he gave a blow of a stone, he came down  
 “ at once. I don't want you to give a blow of a stone to the landlords,  
 “ but you may do it if you like. There is a story about a gentleman  
 “ and a beggar. One fellow said the gentleman was made of clay, and  
 “ the poor man was made of clauber. I say God created every man alike, and  
 “ if you were honest men to the cause of your country and the cause of nationality,  
 “ you would not be looked down upon by that Government that has taken charge  
 “ of you, but brings an abundance of bayonets and swords to protect the land-  
 “ lords and drive you to the workhouse door.

“ I ask you, are you content with the law? If any say you have no right  
 “ to the land of your birth, say you will proclaim from morning till night till that  
 “ system is swept to eternity. I will ask you as honest men to leave your hands  
 “ on your breast and say if the land you have been working on were taken from  
 “ you to-morrow, would not you harbour revenge in your bosom? I say let there  
 “ be no scoundrel amongst you to take the land. Look upon him with scorn and  
 “ contempt. Do not buy or sell with that man. Have the curse of God on any  
 “ man who will take the land of his neighbour. There are land-grabbers, land-  
 “ calves, and land-sharks. The land-calves are the landlords. The bailiff  
 “ is watching you behind your back. He is seeking every day to drive you  
 “ from your home. The Government is watching you, and working with the  
 “ landlords because they are all landlords. If you wish that the spirit of  
 “ nationality shall flow at your bosom, that you are determined to keep the  
 “ land of your birth, if you are determined not to starve in the poor house, have  
 “ no scraping to these landlords. Pay them what is just, and if they do not  
 “ take it give them nothing at all. There is a Bill to be brought on to-morrow  
 “ night. If the House of Lords throw it out, it will be adopted again. The  
 “ man at the head of the Government sees that the people are determined to  
 “ obtain justice. That Bill, I say, will be made law. It will give you a time—  
 “ that you need not pay a farthing for three years to the landlords. But I will



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" say, pay the shopkeeper, and if the landlord evict you, he will have to pay you seven years' compensation.

" (A Voice: 'We will thank you for that and Mr. Nally.')"

" If you remained at home for the last 18 months, and did not seek for any justice, I ask you, would the Government give you anything? No; they would allow you to starve. The same system has really determined to sweep out the people. I call here to-day for three cheers for the independent men of Ireland. (Cheers.) About the late Lord Lieutenant's son, Mr. Churchill, I will tell you, whilst his father was Lord Lieutenant, and while some of his friends were selling buttermilk in Dublin, he stood up and praised the Irish people. He is now, because his father got the kick-out, denouncing the Irish people, and says every man who says it is better to die fighting than starving, that man should be arrested. If he has changed his bob already, we do not care what he says. We are determined to stick to it as firmly as the land itself. As far as I am concerned, every single place I can stand on, every hill, every house-top, if I can get on it, I will say it is better to die fighting than starving.

" There is a land-grabber in this locality named Billy M'Hugh. Now, I don't know who the man is, but a document has been put into my hand which says a man named Billy M'Hugh took land in this neighbourhood. (Mr. Nally asked this man to come forward until they would investigate the case, but those on the platform decided not to go into the case till by-and-bye.) Allow me to tell you that I don't care, let him be Mr. Disraeli, Mr. Gladstone, or Billy Bourke, I have been handed a document with the name of Billy M'Hugh mentioned in it; this document says he took the land to himself. I don't know whether he is the man or not. (Groans for him.) Allow me to tell you I don't know who this man is. If he is a land-grabber you know him. If he is a land-grabber, shun him, and have no connexion with him. I see amongst you land-grabbers. These people I see might be shunned in the future. Allow the grass to grow. Let it wither. Let no man be allowed to cut it. We will watch every man who will dare to take a scythe to cut it."

" (Voices: 'We will cut the hands off him, we will cut the elbows off him.')

" Let that man pass off unnoticed. Look upon him as a black sheep. We have now to refer to the true point that brought us here to-day, and that is with regard to the threatened evictions that have been brought about by Mr. Seymour. He is a one-legged landlord. He has lost that leg fighting for the Government that is crushing you out, and if you all lost legs, I say you would be better men and better women. Ye have worked for years tilling that land, and now, after years of labour, that one-legged landlord comes with the force of English bayonets to drive you out of the soil. The men who are evicted by strength, whom he is going to throw out. I say that they ought to see they are determined to keep the place, and let the moon never shine until they go in again. If you are put to jail for 11 months in the year, I'd ask you to go in for the one month. The Government cannot keep you always in jail, and the Land League will come to your protection. Stick to the cabin, and if you are a good soldier the Land League will help you. If you are a cowardly dog the Land League will not recognise you. I say that you are fighting men, fight for the land of your birth.

" In conclusion, here I will ask you to place up your hand as a pledge before God and Heaven that no man will take land from which another has been evicted. Allow me to tell you that the first hand I saw put up was that of a landgrabber I know myself. I don't wish to name that man. He is Jemmy O'Brien."

*The Witness* (interposing): "He is like Jemmy O'Brien."

37. I have, "He is Jemmy O'Brien"?—"He is like Jemmy O'Brien."

Thank you.

" The Government said to him, you have betrayed your own country and we cannot trust you now. I will ask you to keep to the Land League. The gospel that has been laid down by the Land League is the gospel preached by God himself. He told you to work on the land and earn your bread by the sweat of your brow. He intended it for all the people, and I say I don't care what religion a man is if he lives here it is his right to have the land. God says it

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" is better for one tyrant to fall than that many should perish. If you stick to your principles the hour is approaching when that system will be swept away. And I ask you to say like those who suffered on the scaffold in Manchester, 'God save Ireland.' I ask you to say, 'God save the people.' (Cheers.)"

That is the whole of that speech. That is read in full. Then there is a speech by Mr. J. W. Nally. This is short.

(*The President.*) The same day and place?

(*Sir H. James.*) I will inform your Lordship as soon as we change the meeting. It is the same day, the same meeting, Brennan, Gordon, and Nally were present. "Mr. J. W. Nally proposed the third resolution." I am only introducing it for the necessary purpose of identification. The witness knows him by the name of "Scrab" Nally.

(*Mr. Justice A. L. Smith.*) Do you say he is an organiser?

(*Sir H. James.*) Yes, my Lord. My Lord, I find the Attorney-General did not treat him as an organiser, but only as a prominent member. This is read by the Attorney-General on page 36.

[*The document was put in and read, and was as follows:—*]

"MILLTOWN, 25th July 1880.

"Mr. J. W. Nally proposed the third resolution—

"That we pledge ourselves to perfect and make permanent the organisation commenced here 12 months ago for the achievement of the rights of the working and industrial classes.

"And in doing so, said,—Well, my friends and fellow-countrymen, I did not come here to-day to make a lengthened speech, because speechifying on my part is not good for the health, because a party in the House of Commons, which we call the Woodstock Wasp, and all I ask of you is to give three hearty groans for Churchill. I did not intend to be here to-day, nor a good many of you to meet me. He asked the other night, would I be allowed to preach the true doctrines to the people. He wanted to know, would I be arrested. Well, if he continued to do it, they may put me in until I come out a skeleton, and I will be the same Irishman. It was not to propose an idle resolution. I suppose I have proposed resolutions while land-grabbers had bid for the land at the time.

"Why, my fellow-countrymen, why do you allow them to live? Why do you allow them to exist? The only way I want you to put them from existence is this: Do not speak to them, leave their corn uncut, their meadows uncut, and they will commit suicide without the pills. They will do like the friend of Churchill—Castlereagh—they will cut their own throats. But to-day ye must be united and organised; unity of action and organisation. Without that we cannot get rid of that blasted system of landlordism. Well, I suppose with this little oration that I will be called again by that Woodstock Wasp. Well, I will leave Churchill alone. He got a damned good snub from the Chief Secretary, a good friend to me. I hope ye will not burn Churchill to-night in effigy. Before I propose a resolution, I want to say a word or two about the representative of this county, Mr. Henry. Not alone in this county, but in every place he ran ye down.

"(A voice: 'Down to hell with him.' Another voice: 'That is too cold for him.')

"When ye had an opportunity before, ye did not take it. I will conclude by proposing the resolution. (*Resolution given at beginning of this speech.*) But mind land-grabbers. So long, for a while."

That, my Lord, is all from the Milltown meeting.

(*Sir C. Russell.*) Now, my Lord, I will ask your Lordship what course you think convenient to be pursued. So far as we have now got, all these speeches were matters considered in the case which will be referred to presently; and the course they found convenient was to allow the cross-examination upon each meeting, and not to wait until the witness had deposed to a dozen meetings and have a cross-examination extending over each of them together. Whatever course your Lordship thinks convenient—

(*The President.*) We think the more convenient course will be to have but one cross-examination.



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(*Sir H. James.*) My Lord, the next meeting is one dated 19th of September 1880, the place of meeting Kilconley, and it is referred to in the Attorney-General's speech at page 36.

38. Who were present at that meeting? Who spoke at that meeting? Was Mr. Matthew Harris there?—I must see. I have not the transcript or notes of this one. I have not the transcript of that.

39. Have you been able to get the transcript of that?—No; I have tried, and I could not get it.

40. How can you assist us? Can you read from your notes?—I can.

41. First tell me, if you please, who were the speakers you have got there?—Mr. John Farrell, Mr. Michael Emanuel, Mr. R. D. Welch, Mr. J. O'Neil, Kilcreevanty, Mr. P. J. Gordon.

*Sir H. James.* The only speech I think I need read is Gordon's first.

First tell me this. You have a speech of Mr. Matthew Harris there?

(*Mr. Lockwood.*) He has not said he was there.

(*Sir H. James.*) I was going to ask him whether he was. Will you read, if you please, Gordon's speech? I am sorry to ask your Lordship to listen to the whole of this.

42. Can you read that, or can you make a transcript of that for us?—If it will not take too long I will try to read it.

"Mr. Chairman, Ladies, and Men of Kilconley, I am proud to have the

"honour of addressing you here to-day, as men of my native county, but I

"regret to say——"

43. If you cannot read any word make a mark under it in pencil, and go on?—I will read it in a minute. I have it now—

"but I regret to see that a dozen or two has come in here, into this parish  
"to cause disturbance amongst the gallant sons of Kilconley. I have received  
"an invitation to attend this meeting a fortnight ago, and I received another  
"yesterday from the secretary stating that a dodge has been got up to prevent  
"this meeting. There have been placards got up, printed, that they came from  
"the secretary of this meeting. I sent telegrams to the Land League in Dublin  
"and the reply I received, 'Come here' from them, so that for my life I would  
"be in Kilconway to-day. My friends, I do not wish to say anything to men  
"who wish to disturb this meeting. I believe they want to have the things  
"done by the point of the bayonet, and not by speaking. If they prefer to  
"fight for Ireland at the point of the bayonet I am ready to do so along with  
"them. But we must try to get our rights from the Government of England  
"without bloodshed. If we arm in our numbers and demand justice we will  
"get it. Now, we have armed in our thousands, and if all fruit fail welcome  
"haws, and if we fail to get justice, let us all strike a blow for the destruction  
"of landlordism, but to-day we must be united as one man under the National  
"League"—

or the National Land League it is.

(*Sir C. Russell.*) Is it National League or National Land League?

"National Land League, and swear before high heaven that the land which God  
"has created for you, you are determined to hold it. I will tell you a few facts  
"of landlordism in this county. You have heard of the nobleman who styles  
"himself Lord Oranmore and Browne (groans), he who bartered his name in  
"order to make money and take the name of Guthrie. There was a man in  
"Scotland who made a will and said, no man should marry his daughter who  
"would not take the name of Guthrie. He was not like the herring who never  
"sold his body for his belly. Mr. Redpath came into Mayo, and they say I am  
"a busybody to make myself so busy as to take him to Lord Oranmore's pro-  
"perty. I brought Mr. Redpath into the cabins of the unfortunate people,  
"and I pledge myself here, as an Irishman, that the American gentleman wept  
"outside one of the cabins. I brought him into the cabin and said, 'Mr. Redpath,  
"take note of Lord Oranmore's tenants. Here is the bed for the people, here  
"for the ass, and here for the pig,' three apartments were in one room  
"and I tell you there was not a bit of covering in the house that you would give  
"a fourpenny-bit for. It is true, Lord Oranmore has not evicted the tenants.  
"He has put them into bad places and took them from the land of their fathers,



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“ and left only a man named Henaghan. He has transferred them into the bog  
 “ and gave them the name of five acres (groans). I ask you what is the cause of  
 “ the poverty of Ireland; it is because the money has been taken away. They  
 “ have swept it to France and the Continent. They have sent orders to the agent  
 “ for rents. The unfortunate tenant could not pay. They said to the agent,  
 “ ‘ You must collect my rent. Miss Louisa is going to Paris. Mr. Charley is  
 “ ‘ going to join the church, and they must get money.’ Not a single landlord  
 “ in Ireland subscribed 5l. for the relief because the Americans have handed  
 “ their dollars which have kept you on the land.”

(*The President.*) Is there much more of this?

(*Sir H. James.*) We had no copy of this.

44. (*The President.*) This must not happen again. A witness must not be put into the box to decipher his shorthand note. He ought to have done that before so that he might be prepared to give it with a little more rapidity. Is there much more of it?—There is a whole lot. Oh, there is a whole lot; I could not tell you exactly.

45. (*Sir H. James.*) Can you make a transcript of this and write it out so as to let us have it to-morrow morning?—I could.

Then we could elect whether it is to be read or not, subject to objection being taken to that course?

(*Sir C. Russell.*) We have no objection. We wish it all read.

(*The President.*) I must consider the time of the Court.

(*Sir C. Russell.*) Whatever the time of the Court is we wish it all read.

(*The President.*) Do you mean you wish it all read in this way?

(*Sir C. Russell.*) Not at all.

(*The President.*) You do not wish it read as the witness is reading it?

(*Sir C. Russell.*) We follow it very well as the witness is reading it.

(*The President.*) But it is so slow.

(*Sir C. Russell.*) I agree.

(*Sir H. James.*) Then, with permission, in order that there may be greater rapidity in reading it it must be written out subject to cross-examination as to the note.

(*Sir C. Russell.*) You will let us have a copy of it?

(*Sir H. James.*) We cannot make many copies.

46. Now, pass, if you please, to the next meeting you attended, I think on the 3rd October 1880, at Abknockmoy?—I have not a transcript of that.

47. What has become of it. Did you make a transcript at the time?—Yes.

48. Have you tried to get it?—I have tried to get it.

49. You cannot get it?—I cannot get it.

50. Do you know whether it is in existence or not?—I am not sure. It was sent to the Government, and I tried at the Irish Office, and I could not get it.

51. Well, you must make another transcript of that. Tell me who were present at this meeting?—Mr. Hanby, Mr. Henry Kanny, Abknockmoy.

(*The President.*) Is it the 30th or the 3rd October?

(*Sir C. Russell.*) The copy we have got of the extract my friend read, is the 30th.

52. (*Sir H. James.*) The 3rd, I believe, is the right date?—It is the 3rd.

53. I do not want to go through all the people present. Was Gordon there, and did he make a speech?—He was.

54. The same Gordon?—Yes.

55. Also a man named John Hanby?—Yes.

56. Now, please let us have, as soon as you can get them, transcripts made of those two speeches? The next speech I think you have is the 10th October. That is mentioned by the Attorney-General at page 38. Did Gordon speak there?

(*Sir C. Russell.*) Where?

(*Sir H. James.*) At Clerhann. That is a mistake in the print—Clarne.

57. That is the 10th October 1880?—Yes.

58. It is referred to by the Attorney-General at page 38. Have you the transcript of that?—I have.

59. Will you let me have it, please?

[Transcript was handed to the learned Counsel.]



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(*Sir H. James.*) Mr. P. J. Gordon said this :

[The document was put in and read, and was as follows:]

“ Mr. Chairman, ladies, and fellow-countrymen, I am proud to have the honour of addressing you here to-day. I did not intend to be at this meeting ; but getting a pressing telegram from my friend, Mr. Tierney, I at once resolved to be here to-day at your meeting. I have come amongst you to give you a helping hand to uproot that system of land robbery which has left us a poor nation, and I have come amongst you to ask you here to-day to pledge yourself before the God of Creation, that no man in this parish, from this day forth, shall take any land from which another has been evicted. I will ask you to pledge yourselves by raising your right hand as a signal, as a solemn pledge before your God, and if you violate that pledge, I pray that you shall send yourself to perdition. I have come amongst you to ask you to pledge yourselves solemnly on this great question, and to say that you are not satisfied with this system of robbery which has sent Ireland's greatest and truest son, Charles Stewart Parnell, across the Atlantic to leave your poverty before the people of that great and glorious country, America, and the American people responded at once to the call of Parnell for their Irish brothers.

“ But why was it that Parnell had to go and beg for the Irish people ? First, I tell you it is because we are too cowardly, because we are long down under the system of sham law ; but the Government has instituted that law, and they say they are bound to protect the lives and property of the people, but they only protect the lives of a few thousand of landlords, while they allow thousands of our sons and daughters to die. The Government has gone into mourning last week for the murder of one lord, and Her Majesty the Queen has sent a letter to Lord Mountmorres' lady. I have no objection that Her Majesty the Queen should write a letter to every widow in Ireland, but I ask you, has Her Majesty or Her Government gone into mourning or sent letters to the widows and orphans of four millions people that died in the workhouse ? It is the policy of England, no matter what Government, Whig or Tory, to perish you out, to crush you out ; but to-day the proud hopes of Ireland are approaching fast, and I am proud to see here around me the brave, manly faces of my brothers, and the smiling faces of my sisters, who shall proclaim that the land that God created for them, we are determined to sacrifice our lives to hold it. I will quote one incident in my locality. One land robber insisted upon a poor unfortunate man to enter upon his holding, and his name is Murray M'Gregger, Blackeree, and his agent is Captain Boycott, the tenant's is Thomas Melee. The holding contained 4a. 1r. 2p., the valuation is 3l. 15s. and the rent is 14l. 14s. Along with that unfortunate man entering he had to pay the land-robber 10l. fee, and he had also to build a house on the 4a. 1r. 2p., and the land-robber would not allow him quarry a few stones on the very property until he had to go a mile, and carry them on his back.

“ Now, I ask are you satisfied with this system of land robbery ? If you are determined men, band yourselves together. I will ask the fair daughters of this locality to combine together, to be in the band equal to the men, and if there is a cowardly man in the village, let the brave women force him to the front. \* \* \* \* \* A man could make money and buy a property, and then crush the people. I ask you to combine together and swear before God on high that you are determined to stick to the land of your birth. Why is it at this time of poverty and distress that you have not your priest on this platform to-day as your chairman ? (Groans.) I don't want you to groan him, but I want you to teach him a lesson. I am a Catholic devoted to the Church of Rome, and to-morrow if my Church were in danger I'd be one of the first to fight for her ; and when the late Pope wanted soldiers in the field I can truly boast that I was the first recruit in the County Galway. My ambition is to see my people free ; to see them in the land of their birth ; and my ambition is to see the priest with the people. And when the priest wrongs the people I am the first man to denounce him on the platform. Perhaps you do not know



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“ why he is not here to-day. Perhaps you are not aware that he is a landlord.  
 “ At the late election in Roscommon I had been invited to a meeting, and the  
 “ priest, a St. Patrick's Day, spoke from the altar of me, and he gave me my  
 “ Patrick's pot. I made up my mind to go to his parish on Easter Sunday, and  
 “ I gave him his Easter eggs. I told the people to hold their shillings in their  
 “ pockets, and let him go live on his 9,000*l.*, and the result was that all the  
 “ collection he got was 16*s.* I will ask you here to-day to teach this new parish  
 “ priest a lesson, and you will find the next meeting you will get up he will  
 “ invite himself as chairman. I don't wish to speak against the priest; but the  
 “ more devoted you are to the Church the better you will be. You know that he  
 “ is a little landlord. I hope he never will be bigger.

“ I have a newspaper here. It contains a paragraph about an eviction that  
 “ took place here about a week ago. I suppose you all know Mr. Bourke of  
 “ Ower. I have known him a long time, and I never knew anything good of  
 “ him. He stuck into the newspaper that an amount of police were at the  
 “ eviction, and that he re-instated the tenants. They are placed into cabins that  
 “ their forefathers cultivated—all their labour has been sacrificed \* \* \* Not  
 “ a single landlord has subscribed 1*d.* for the famine; not 1*d.* has been sub-  
 “ scribed by Bourke of ours, and now he comes to throw the people on the  
 “ roadside. Let you follow in the steps of the brave sons of Mayo. (Cheers.)  
 “ You must know that I am a Galway man. But I will tell you a little anecdote  
 “ that happened once in Liverpool. There was a row got up in a cabin, and there  
 “ was a black in a corner. The Mayo men got the upper hand, and the black  
 “ said ‘I am a Mayo man now.’ The reason I have for being a Mayo man is that  
 “ they were the first to proclaim to the Government—that cruel Government—  
 “ that this island was ours; that we are determined to sacrifice every drop of our  
 “ blood until we sweep away every vestige of landlordism from this county at least.  
 “ There is another landlord in this locality, Mr. Browne, of Clarne, and if he had  
 “ his windows open he would almost hear me here. He refused to give any  
 “ reduction to the tenants, and gave them no assistance in this present time. And  
 “ what are the tenants to do? I tell the tenants here plainly, and in as plain  
 “ language as I can use, not to give him 1*d.* at all if he refuse to take what  
 “ will support him. Hold the harvest; hold the rent; and if you are  
 “ evicted I will ask the neighbours to put you in again. If the land  
 “ robber come again to put you out, the Land League will take you up and build  
 “ a cabin on the roadside, and watch your farm.

“ I will refer to a gentleman who has helped out the tenant class this last  
 “ year or two, and this is Mr. Lynch, of Ballycurren. I think there is not a man  
 “ here to-day, whether he is a neighbour or not, that does not know that Mr.  
 “ Lynch, of Ballycurren, was the tenants' friend in the past. His letters were read  
 “ on the platform, and his money went in to support the people. Now, I don't  
 “ want to say too much about good landlords, for I would rather to talk of bad  
 “ ones, for you know that landlords in Ireland are a curse to the nation. Land-  
 “ lordism has left millions of people starving. When I say starving, I say after  
 “ the years, years of toil and labour, you have nothing at the end of your days.  
 “ If you have a long family, you have to get shot of them. The mother has to  
 “ weep at the door to see her darling daughter never more to see her, and the  
 “ father accompanies his child to the ship, that child emigrates to a foreign land,  
 “ and no more shall that father ever see that [child]. They go from this land as  
 “ Mitchell said, ‘They are gone with a vengeance.’ Yes, and I pray to God that  
 “ the brave sons in these foreign shores may yet return with a vengeance to  
 “ the Government to their own shore. After nearly 700 years what a unity this  
 “ \* \* \* \* \*

60. The sentence is not completed here. You are following me?—Yes.

61. “After nearly 700 years what a unity this.”

You have not completed it in the transcript. Can you do it from your note or not?—I have got it. It is difficult to read. I have the note, but it is difficult to read the passage.

“After nearly 700 years what a unity is this; with the sword and bayonet  
 “ she plundered the nation, she violated the fair sex of Ireland, she butchered the



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" infant in the mother's womb ; they shot down the father at his own door for  
 " daring to look out."

62. Then you have got:

" Picked out a handful of fellows and constituted them a government of  
 " Ireland."

—Yes.

63. " They allowed the people to die within the workhouse. The father on  
 " entering the workhouse is sent to one quarter of the union, the mother to  
 " another, and the children in the third. They are separated within that work-  
 " house, and I say (to) you here, as honest fathers, would it not be better for you  
 " to die at the cabin door than die within the walls of the workhouse." (Cheers.)

" Well, I have seen in 'The Weekly News' of this week a very important  
 " ball got up by the landlords; well, mind you, they never invited the tenants;  
 " it was a lot of landlords, if they had it at all. The first thing they danced was  
 " the buckshot waltz; and then some gentlemen stood up and said the best thing  
 " he could dance was a notice to quit polka; you know my friends that during  
 " the famine years, the landlords of Ireland celebrated their balls and festivals,  
 " they picked up every shilling that could be extracted from the tenants, and  
 " went to London and Paris to spend it, and never inquired whether the people  
 " of that parish were starving, and have written home to the agent, to send them  
 " money in order to send their families to the Continent, and never inquired  
 " whether the people were dying of hunger; you know within the past few years  
 " the landlords were more pressing for rents than they were in the past, and the  
 " accounts they sent to the agent was (were), that they should get their rents, no  
 " matter what famine there was.

" I ask you here to-day, as honest men, where would half the people of  
 " Ireland be to-day, were it not that some men stood on the platform and  
 " advocated for the tenants. Mr. Parnell travelled America \* \* \* \* \*  
 " and they have exposed the land robber landlords. I have travelled almost the  
 " three countries, and I tell you wherever I got an opportunity, I never screened  
 " him for a moment \* \* \* \* \*

There is a word or two left out there.

" land grabber let ye treat him as I tell you."?

" If there is any landgrabber, let ye treat him as I tell you."

(*Sir H. James, continuing.*) " Mr. Nally.—Groaning is nothing at all. Take him  
 " very quietly away. You know where to put him."

64. Was there some interruption there?—No, there is no interruption on the note,  
 except Mr. Nally's interruption.

(*Sir H. James.*) " Take him very quietly away. You know where to put him.

" Mr. Gordon, continued:—There was a soldier once who had a white  
 " trousers, and a dog went into the river and shook the dirt on his trousers. The  
 " soldier, said, I will neither beat you nor tease you, but I will halloo mad dog.  
 " Let ye halloo mad dog after him. Have no communication whatever; if he  
 " have a shop, let ye shun him as ye would the devil. Murphy Hynes threw up  
 " his farm; why did he do so? It is because the people assembled in their  
 " thousands; they tumbled the ditches, and scattered the wall, and sent Murphy  
 " round the village. Now, my friends, the landlords say that the cause of the  
 " poverty is owing to the extravagance of the people. I want to know where is  
 " the extravagance. It is on the landlord's side. The unfortunate tenant is  
 " worked, cultivated a bog until he changes it into land. The landlord comes and  
 " views the spot. He never reckons of your hours of labour. And he says this  
 " land is worth now three times as much as when you got it, and what you pay  
 " three pounds for this year, the landlord expects six pounds for it next year.  
 " The poor tenant is brought down to poverty. The sheriff and police come and  
 " turn them out on the roadside to starve.

" Are you done with that system of law? You must try on every farm to  
 " get shut of it. Bind yourselves together. Have no creeping about it. Let  
 " every man be bound within the Land League, which is the only protection we



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" have. And along with the Land League let no man forget the spirit of  
 " nationality within his bosom.

' Ireland a nation,  
 ' Great, glorious, and free,  
 ' First flower of the earth,  
 ' And first gem of the sea.'

" I will ask you to stick to the home of your birth. I want you here as  
 " fathers and mothers to teach the rising generations. \* \* \* \* \*  
 " Teach them every evening that it shall be their night dream, that as Emmet  
 " shed his blood for his country, and as Lord Edward had been strangled for  
 " loving Ireland, and as Allen Larkin and O'Brien had been swung up on the  
 " scaffold of Manchester for loving this dear land of ours, I ask you to raise up  
 " your voice in a solemn prayer that God in His mercy may save Ireland and the  
 " Irish people. (Cheers.)"

I think, my Lord, that is the only speech at that meeting.

(Sir C. Russell.) Oh, no, there were Walsh and Nally.

(Sir H. James.) Then, my Lords, there is a speech of Mr. J. W. Nally, referred to by  
 the Attorney-General at page 38 of the first day.

[The document was put in and read, and is as follows:]

" Mr. J. W. Nally.—Well, my friends, I am called upon on this occasion to  
 " propose a resolution. I knew nothing about coming here specially to see if I  
 " would spread the light in these mountain passes. Where is your priest to-day?  
 " They will be with you on Easter Sunday, as they will on Christmas Day. My  
 " boys hold the harvest. Let ye bind it and say that we will keep a firm grip on  
 " your homesteads. Too long have we suffered with these parties. I will call  
 " them, as I will call these, absentee landlords. I will not call them that, though  
 " as long as they live amongst us, we will have to give them a little, but let it be  
 " cut, let it be small. Instead of giving them two stocks, let ye give them a sheaf.  
 " I believe I was one of the first in Connaught that proposed a resolution in Irish  
 " town the time this agitation was commenced. It was something tantamount to  
 " the one I am going to read for you now. I say once, now, and for ever, away  
 " with resolutions, away with speechifying, away with anything, but let them get  
 " in, but let each and every man in the village from which a farm has been  
 " taken, let him come for the pills and pills only.

" A voice: Holloway's pills.

" (Mr. Nally.)—That is too mild. When the pills will go, they will want no  
 " ointment. I know there are amongst the . . . . ."

65. Can you give me that word? Can you follow where I am?—In one minute.

" I knew there are amongst the crowd landgrabbers and land thieves."

66. There seems to be something left out—

" There are amongst the crowd here, landgrabbers, land thieves" . . . ?—

" Worse than the landlords."

67. Then it goes on:—

" This man is going to the bad, that man is going to the bad. I want a  
 " couple of acres. Oh, are ye Irishmen? Ah, sad to say, ye are not; like the  
 " bundle of sticks join together all. What is the use of me going from platform  
 " to platform . . . . . Land grabbers are a thousand times worse than the  
 " landlords. Who amongst you will take a beast to the fair. You will get 10l.  
 " or 12l.; you will get 3l. or 4l. over your own valuation. Is the landlord to be  
 " blamed? Is he to be blamed? No, but the land sharks; and there are some  
 " of them—I will have to read their names . . . . . I want to bring those  
 " landlords that are sending off to England the yellow boys, to come back and  
 " handle a spade and shovel for a while. I'd have ye to unite, and without  
 " organization we cannot get total separation from that hated, that detested,  
 " that blasted Government that we are under at present. It is very easy  
 " for us to talk in open air, and say we will do this or that, while some  
 " of the most enthusiastic amongst you will go in for land that has been  
 " surrendered for nonpayment of rent. When we get fellows amongst us like  
 " the seven brothers we can sinash them. But keep together, keep strong;



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“ dynamite and guncotton will scatter them to pieces. I will mention names  
 “ for the edification of the crowd. I suppose ye all know a man named  
 “ Bothrell. Is there anyone amongst you there that would wish to have the land  
 “ laid waste. If any of these names are here to say a word, allow them to come  
 “ on the platform. Is there any man named Pat Davis, ‘from’?—I have not  
 the name, I put it down in shorthand. I could not make out what he said.

68. Is it the name of a place?—Yes.

(Continuing reading.) “ Is he a land grabber? John Tully: what about him for  
 “ being a land grabber? Well, what will ye do to him? A voice: ‘Give him  
 pills.’

“ (Mr. Nally.) What about another man named Keane? Where is he?  
 “ Many a good son reared a bad father. What about another man named  
 “ Mr. Keating? Pat Davis, is he guilty? J. Casy. A voice: ‘We have another  
 “ named Hackett.’

“ (Mr. Nally.) Well, my friends and fellow countrymen, as there are some  
 “ other parties to speak after me, I did not come here to speak, but I had a few  
 “ words to say. But I want to tell you, do you like to unite and organise? Our  
 “ meetings are like a drop of water on the ocean, unless he get the pills.

“ The resolution was resolved—That we stand firm in the conviction that the  
 “ landlords will attempt to seize the harvest at the coming season for the payment  
 “ of rack-rents, which harvest was raised by the peoples’ industry, together with  
 “ the charitable donations of the outside world. We here pledge ourselves to use  
 “ every means to hold the harvest for the preservation of our families. Now, in  
 “ conclusion, my fellow countrymen, I hope ye won’t be led away by joining the  
 “ Land League, or any other league, freedom league, to hold the harvest, and  
 “ how will you do it? Oh! you will have to do it at the point. Unite and  
 “ organise, for without unity there is not strength. And if you do it, I implore  
 “ of you to do it, because this will be the last platform I will stand upon until I  
 “ see the manhood of Ireland, to keep the firm grip against those blasted and  
 “ detested landlords that are living in the back lanes and back slums of England.  
 “ I thought that was the last I had to say, because I am a little hoarse. But still  
 “ I think I am getting a little better. I came here to this meeting to-day. I  
 “ have been told of it, last Friday in Castlebar, where I was down on particular  
 “ business. I showed the letter to that Soggarth Aroon, Father Conway, and I  
 “ say cheers for him (cheers). I told him I am invited to attend a meeting in  
 “ Clarne, and when I told him, he jumped with joy, and said, ‘light is wanted in  
 “ that country.’

“ A voice: ‘Christmas will tell that, boys.’

“ (Mr. Nally.) I met that great man, that Sloggarth Aroon, Father Corbett, in  
 “ Claremorris, and he told me to come in here, and break down every door and  
 “ window to let in the light. ‘Go on John,’ he said, ‘go on and spread it through  
 “ ‘the whole country, and we will soon put landlords to their knees. And where  
 “ ‘is there one of them to-day? Ah! when they go to collect their rent they are  
 “ ‘formost. They won’t give a fortnight or three weeks to the people. They are  
 “ ‘the first to come, and they will kick the people if they do not do it. O, my  
 “ ‘curse to that people if they do not hold the harvest.’ (Cheers.)”

69. You have got the speech there of a person named Walsh?—Yes, I have it.

70. I think you have no transcript of that. Will you be good enough to make out  
 that transcript also, if you please, by to-morrow morning?—Yes.

71. The next is the 20th March 1881, a speech at Galway, mentioned at page 41 of  
 the Attorney-General of the 22nd October. One moment, I do not know whether I  
 made a mistake. You told me you had no transcript of Mr. Walsh of Clarne?—I did  
 not say that.

Just see if that is a transcript of Walsh of Clarne, of the 10th October 1880.  
 The reference made to him by the Attorney-General was at page 38. He said he was  
 present as the representative of the Irish National Land League. It is R. D. Walsh.  
 I am told it is Mr. Richard Walsh.

(The President.) Where is it?

(Sir H. James.) About six or eight lines from the commencement of the page. My  
 Lord, it is a long speech.

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[Continued.]

(The document was put in, and read, and is as follows:)

"CLARNE.—10th Oct., 1880."

Mr. R. D. Walsh said:—"I have great pleasure in seconding the resolution. and I feel grateful for the complimentary cheers you have given me, not for myself, but because I am the representative of the Irish National Land League. I once hoped in my infancy that I would see here assembled the men of this parish in assertion of their rights, and I once hoped to see that my anticipations crowned with success . . . . . The time has arrived when we must throw off all party spleens. The time has arrived when that this man that fought with you must join hands and say that the land you labour shall be your own. I see persons who all their lives delved in the fields and in the bogs. I think I see here to-day parties who have given labour to support thousands in a life-time here to-day unable to pay their debts, unable to pay the shopkeeper, and they are asked to pay their money to the people who are spending their money out of the country. When will parties who are gone, be able to show their independence? When they come home. But here they must work from morning to night, from year to year, from month to month, often during the night and day. And yet a fellow-man says, give me what you gained, give me what you laboured for, in order that I may spend that money in the slums of Europe. (Cheers.) Do I stand before men, or do I stand before children? If I stand before children they won't listen to what I say, but if I stand before men they must listen to the plain facts that I enunciate. These persons who are here, these persons who are assembled here to-day because they resolved that that system which has blasted them shall be destroyed; that system which has pauperised them should be rotten, and the system which has kept them in misery shall be done away with for ever. A great many who pretend to be the friends of Ireland come before us, and amongst them there is one whom I have no desire to insult, because any man who insults a lady is a coward. I have no desire to insult the Duchess of Marlborough, but I must say that the motives which actuated her charity were motives of policy, when she tells those who sent in their report that if you want to be contented and peaceful and rich you must leave the old homestead wherein you were born; you must leave kith and kin and those with whom you lived in childhood, and with whom you would gladly die in old age. Are you prepared to follow the Duchess of Marlborough? Well, I don't ask you to die with the sword just now before you leave your place. But I would ask you to organise until that system is eradicated for ever. I see noble-faced men upon whose brow is impressed the image of God, and am I to be told by men of Clarne that you are to give them the fruits of your industry, and unless you give the money you worked for I shall send you on the roadside to beg. Is not your labour entitled to fruit? According to common law, if you work you must get something thereby. Now, there are many here who work from year to year, and at the end of the year you have the cowardice to give all to the landlord. Any man that shall, thereafter, do that, he shall not flourish. His children will curse him, and they will say: there in that churchyard lie our degenerate fathers. There in that churchyard lie those who would not fight for Ireland. But we shall fight for the cause of Ireland, for the land that we love . . . . The enthusiasm of this vast meeting, ["fast meeting" it is here], "astonishes me. It is to my mind something new, because they were always skulkers and slaves, and if they knew their rights they were afraid to tell them. I was asked whether it would be advisable to ask Mr. Hackett to join the Land League. My friends told me it would not be any use. I went in and asked, perhaps you would not have any objection to join a society for the common good. Well, said I, perhaps you would join the Land League. 'Oh, no, no, get out.' I had to leave, and I got nothing for my laugh except the extreme pleasure of knowing that he is an ignorant man. This man has accumulated a vast deal of money . . . . I ask every person here not to go into his own house, because he is a tyrant. I ask every person here, if he wishes to love his country and his creed, because he is one of those that wishes to put the chains of slavery on the people. Is there any man here from Gurtlogasth? Is it possible that this



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“ individual whose life has been a perfect idiot? Is it possible that he would be  
 “ allowed; that there are people here who would pay him 13s. over the Govern-  
 “ ment valuation? The object of the Government is that the people should be  
 “ prosperous and contented. How can they imagine that they could be contented  
 “ if they have to pay 13s. over the Government themselves say is a fair rent?  
 “ His name should be printed amongst the wretches. He should not be spoken  
 “ to, neither should the agent and those that infest our land. Now, gentlemen,  
 “ you know, everyone here knows, that shopkeepers live by your toil. Every  
 “ man of common sense here must admit that your labour creates the wealth of  
 “ the neighbourhood. Every man here, if he is an honest man, must admit that  
 “ his industry has been the cause of the riches of many in Headford. How,  
 “ therefore, is it that you will be so unmindful of your own interests that you will  
 “ be found base enough to help these men? The cause we advocate is the cause  
 “ of Ireland. The cause we advocate is the national good of our country, pro-  
 “ vided that the people of Ireland is (are) sufficiently intelligent, and that  
 “ now-a-days they are banded together, united, and their cause is sure. This  
 “ cause is destined to triumph if you are united. You all know if you bend seven  
 “ or eight sticks, or 15, you can scarcely break them.

“ Now, your only object in coming here to-day is this: to be united. You  
 “ have, I know very well, fought amongst yourselves, Many of your blood have  
 “ fallen in ignoble strifes, you have fought for nothing at all. But to-day I ask  
 “ you to give three cheers for Allen, Larkin, and O'Brien. There was a time  
 “ when Owen Roe fought and bled. There was a time when Hugh O'Neil  
 “ fought. But the unfortunate and unlucky James the Second came. He fled  
 “ from the Boyne, and Irishmen went to the Shannon. The men went  
 “ forward to Limerick, and there by the banks of historic Shannon the  
 “ glorious women took batons in their hands and struck at the invaders when  
 “ they stood upon the walls. Are there not sufficient women here to-day to say  
 “ that they will make their husbands do something for the cause? Let every man  
 “ promise here to-day, before the Creator's chapel, that he will do something to  
 “ help the cause of his Fatherland. We are to have a country to fight for, we  
 “ have children to remember that what we worked for was not in accordance with  
 “ their fathers. I tell you now that the spirit of education is so quickly spread  
 “ that if the men here to-day do not do something for their country, their sons  
 “ will curse their memory. It would not take any man long to spend a shilling.  
 “ Every man can spend a few shillings with the Land League. I am one of  
 “ those who believe in the amelioration of Ireland with the sword. Still I say let  
 “ all be combined and united first. . . . I say, if you combine, and organise,  
 “ and educate yourselves the day is not far distant when the sun of liberty shall  
 “ shine over your heads, and you shall rise before the world a glorious nation.  
 “ (Cheers.)”

(Mr. Lockwood.) There is something missing there.

(Sir Henry James.) It is about three lines from the end. Can you give me one  
 word? It is three lines from the end. “I say, let all be combined and united  
 “ first.” Can you give me one word? Fill in that. Perhaps he will begin a little  
 further back.

(The President.) I think it follows.

(Mr. Lockwood.) In the extract we have there is a word missing.

(Sir H. James.) “I am one of those who believe in the amelioration of Ireland with  
 “ the sword. Still, I say, let all be combined and united first. . . . I say, if  
 “ you combine, and organise, and educate yourselves the day is not far distant  
 “ when the sun of liberty shall shine over your heads, and you shall rise before  
 “ the world a glorious nation. (Cheers.)”

(Mr. Lockwood.) We will have it after the adjournment.

(The Witness.) Yes, I am looking for it.

[The Court adjourned for a short time.]



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72. (*Sir Henry James.*) You were asked to give some words. Can you supply those words now?—Yes—

“Representatives as we are of those who have flooded the battle fields of Europe with the blood of the foe.”

73. Then turn to the note of the 20th March 1881, mentioned at page 21 of the Attorney-General's opening. Have you got a transcript of that or not?—Yes, I have my own original transcript.

74. It is an unprinted transcript. Was Mr. Matthew Harris at that meeting?—He was.

75. Find me in your transcript Mr. Matthew Harris' speech?—Yes, I have it.

[*The document was put in and read, and was as follows.*]

“Mr. Matthew Harris, Ballinasloe, said : Men of Galway, I feel great pleasure in addressing once more the people of Galway. One time I spoke on the place where I now stand. False representation was put on the language I used. They represented me as saying that I desired to have the landlords shot like partridges, and from the platform I explained what I meant, and I said that not only did I oppose the shedding of human blood, but I was actually opposed to the shedding of the blood of the lower animals. And what interpretation did Mr. Heron put on that? He said that I valued the life of the lower brood more than I did the blood of a landlord. They have bore false witness against one's neighbour. They have slandered the people. They have did this for the sake of money. If to do all these things entitled him to be a member of the club, no more fitting member than Mr. Heron could be a member of the Galway club. I have been accused of using personalities to the gentlemen of the County Galway. I never used personalities in my life; I defy any man in Galway or out of it to bring forward any incident in which I meddled with the private affairs of any man. But when a man comes forward himself, when men scatter ejections in all directions, when men do any such things, I say that, not only are we bound to denounce them, but we would be morally wrong if we shut our eyes upon them (hear, hear). No man should bring forward crime, but when crime does come, it is the duty of every gentleman to crush that crime. Well, gentlemen, a great cry was raised about that word of shooting down partridges. Well, the landlords of Galway have not used any such language. They are too wise, they are too hypocritical, what they say is, that they desire to be united with the people. But while saying this don't they strike them down more unmercifully than partridges. Lately, my friends, I have travelled a great deal through the County Galway, and what do I find everywhere I went? I found the landlords scattering about their writs of ejectment, and I say to those assembled, what is the use of the Land League if I stand up without denouncing it? The other day in Mountbellew we had a meeting . . . . .” “Their process server was going round with about 80 of the Royal Irish Constabulary, and they came to a poor man's place. The poor man struggling with death, and they were asked to spare that poor man, but, my friends, they would not be turned aside. However they entered the poor man's house with their bayonets and paraphernalia, and what happened? The poor man expired before they left the house. That man lived in the town of Mountbellew; he was an industrious tenant, and the reward for all the money was that they sent their bailiffs and executed their process against this man. Are we to lie down like cowards? In the other side of the country I find a like action going on. I find Lord Dunsandle sending out his bailiffs. He went away himself, and the child he brought into the world he left him to bear the infamy of his work. We have found here that the father wishes his son to do what is wrong, and he is a bad landlord to teach his own child to commit the very crimes that he himself in his youth committed.

“From this town a gun-boat went down to Connemara. Now you know that the people there have more to contend with than any other people in Ireland. The climate there is extremely moist, and the three seasons passed, these people are reduced to the lowest state of destitution. And this is the time that Her Majesty's gun-boat is employed to go down there for the purpose of exterminating Her Majesty's subjects in Connemara. I say that the people of Connemara deserve more sympathy and support at the hands of the landlords,



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“ and at the hands of every good man in Ireland than they have had hitherto.  
 “ The instant that the landlords see that they have the forces of the British  
 “ bayonets and the British Government—the instant they find that, at once like  
 “ so many drivelling——  
 (Witness.) “ Drivelling wolves.”

Then he goes on—

“ They take action. I spoke about Bellew the other day. There is another  
 “ man. There is another man—a landowner. He hides himself beyond, in the  
 “ city of London, and from all I have heard of him, it is hidden he ought to be.  
 “ Look at all the iniquity he is working. He has been raising the rent year after  
 “ year.”

(The President.) That was all of Harris. I have not yet got any statement of  
 Harris's position. Was he an organiser? Sir Charles Russell was good enough to  
 say he would state what his position was.

(Mr. Lockwood.) I represent Mr. Matthew Harris. With regard to that, at this time  
 I cannot say exactly what Mr. Matthew Harris's exact position with regard to the  
 League was. I am not in a position to inform your Lordships at the present. The  
 gentleman who instructs me is not here.

(The President.) It will be done when it is convenient. I merely ask for the purpose  
 of having it on our note.

76. (Sir H. James.) Your Lordship is aware that Mr. Matthew Harris is one of the  
 scheduled members. The gentleman who is the member for Galway, Mr. Thos.  
 O'Connor, was present on this occasion?—He was.

77. (Mr. Lockwood.) Do you say Mr. T. P. O'Connor was present?—Yes.

78. (The President.) Do you say Mr. T. P. O'Connor was there?—He was, my  
 Lord.

79. (Sir H. James.) My Lord, that concludes the Galway speeches, as opened by the  
 Attorney-General. I thought it desirable to follow his note in point of time. As to  
 them, by O'Malley, of course the other witnesses have to follow. We cannot introduce  
 them here. Then I want to prove one speech not opened by my learned friend the  
 Attorney-General, on the 20th of June 1880, at Shrule, in the county of Galway.  
 Have you got that?—Yes.

It is, my Lord, a speech delivered at Shrule on the 20th of June, by Mr. Patrick  
 Gordon.

[The document was put in and read, and is as follows.]

“ SHRULE.—20th June 1880.—Mr. P. J. Gordon.

“ Mr. P. J. Gordon seconded the resolution, and in doing so said :

“ Mr. Chairman, ladies, and fellow countrymen, I am proud of having the honour  
 “ of addressing you here to day in Shrule.”

(Sir C. Russell.) This speech was read by the Attorney-General, but he read it  
 as being a Mayo speech, and he read it quite correct. It will disarrange my friend's  
 order.

80. (Sir H. James.) As I have read it, perhaps I may go on with it. I am told  
 it is a place which is on the borders of the two counties; what do you say?—It is  
 on the borders—just adjoining the county.

(Sir C. Russell.) My learned friend, the Attorney-General read it correctly as  
 Mayo.

(Sir H. James.) Perhaps you will allow me to treat it as Galway. I believe the  
 speeches were made in Galway.

(The President.) Yes; we will bear it in mind.

(Sir H. James, continuing to read):—

“ I had made up my mind to attend another meeting, but something has  
 “ occurred in this gallant county that is echoed by my feelings. The Church  
 “ teaches that he who is not with you is against you, and I am sorry the priest  
 “ of this parish is not here to-day. Let it not be understood that I want to  
 “ excite feelings against this gentleman; but I will not let it be understood  
 “ that his name is in accordance with his acts. He bears the name of Good,  
 “ but he is damn little good. It is the people of the parish that has made him  
 “ what he is, and it is you with your hard earnings that has placed him in this  
 “ position. I am leaving it in your own hands to chastise those who are against  
 “ the people. I understand there is a party here who has got up a system of



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“ reporting to the Government that the peaceable people of Shrule and its surroundings were determined to cut one another's throats. But I say we have no intention of cutting the throats of our friends, but I do not care if half the throats of our enemies were cut before morning.

“ I will tell you the cause of my being here to-day. There was a landlord robber who went into the house of a peaceable woman. He was not satisfied with carrying out the law, but he took it into his own hands. He was not satisfied to allow the sheriff and the police to do it, but he did it himself, or thought to do so; that gallant woman wrested a stick from him and hurled him from her cabin. Well, my friends, it did not finish there. The land robber who was not satisfied with robbing the woman of her labour, brought back a gun, commenced smashing before him. That gallant woman stood up, took from the earth a tongs and smashed the head of the robber. The laws of God and man tell you that you are bound to protect your households. She has not been guilty of a crime, but has only protected her home against the land robber. I shall ask the women here to-day, to act the part of the soldier, allow no robber to enter your cabin. The law will protect, and if you drive from your cabin door the robber, your name shall pass to every quarter of the globe, and shall go to the grave with the mark of respect of your country.

“ It has been said that this meeting has been got up to denounce the landlord whose property is here. I will refer to the good landlord, but unfortunately they are as scarce in Ireland as a white blackbird. We have one white blackbird, Lord de Clifford, his mother was a model to the landladies of England and Scotland.

“ It was got up to expose the robbery, tyranny, and plunder of those landlords, who, after years of toil on the land that God has created for you, comes and says, unless you are able to pay the rent I demand, you are to quit your cabin.

“ God says, the rich tyrant shall never the Kingdom of Heaven, and with all your poverty, I believe that will be a satisfaction.

“ We are here to denounce a system that has left you a starving people in your own land. Why are you begging yellow meal? Because you are too cowardly, you have not the spirit of the Ballina woman, and then the Government would see within the House of Commons the necessity for making a Land Bill for the people of Ireland. But when you lie down cowardly, the Government of England think if you are flung a stone of yellow meal it will satisfy you. If you had the spirit of that woman, you would not take yellow meal. The dogs of England would not take it, nor the people of England. They refused to take what the Irish are begging for.

“ The Government has aided the landlords. They helped them to murder you. It is now 12 months since I had the honour of addressing you in Shrule, and I now say the Irish people will never be loyal to that Government until Ireland gets justice. The only way that you have to let the Government see that you are not cowards any longer, arm yourselves like people, and, if you have no way of getting the rifle, sell the old cow and buy one. You have a privilege now to buy a gun, and if you can afford to pay ten shillings for it, you can be a policeman in town with your gun on your shoulder. I have several times spoken with regard to the police, and what I have said then, I repeat it now, that within that jacket there is a heart warm and determined for the rights of their country, and they have shown it lately in Dunmore. The landlord would not allow the old man to stay. The police said, let us pay this, and they paid the rent. Now, my friends, if the police turn round and pay the rent, it will show something to the Government. They will see they have an honest heart. Often they have to assist at evictions against their wish.

“ I have to refer to something that occurred convenient to this place, a place called Calla. There has been a poor man evicted, or in the name of evicted. The resolution speaks in the strongest terms against any man who shall take the land from which persons have been evicted. I hope the plan will be acted upon; but, unfortunately, there stands in the midst of us persons who are only wishing to have the land. The document speaks about the men's



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" names, David Bourke, who is a neighbour of Thornton, and his son-in-law.  
 " They both went to the landlord, and offered him an increase for the land.  
 (Groans.)

" (Mr. J. W. Nally.) Groans are no use. Refer it me for my pills I have  
 " got lately.

" Mr. Gordon continued:—The landlord is bad enough, but the man who  
 " comes to him and \* \* \* him money when he sees the tenant going to be  
 " evicted is a greater tyrant than the landlord.

" Organise yourselves as one man, and show the landlords and the Govern-  
 " ment that you shall never be allowed to leave the land of your birth.

" Swear before high Heaven that the land that was created for your use, that  
 " you are determined to fight for it. Is there a man or woman amongst you who  
 " would not rather spend 12 months in a jail than six months in a workhouse?  
 " I say if you want to keep from the workhouse, that the system must be put an  
 " end to. This will be done by your own determined action, showing the land-  
 " lords and the Government that you are created by God to inherit the land. He  
 " has given it to you with the words, 'This land I have created for you, and you  
 " 'are to cultivate it by the sweat of your brow.' The landlord takes all by the  
 " money which the tenant hands over to him. He spends it in houses of ill-fame  
 " in London. His class is a disgrace to the land of his birth. Offer him what is  
 " fair for the land, but I tell you when you give him more than he is entitled to  
 " you are a robber to yourself. You gather all the money you can, and send it  
 " to the landlord, and allow yourselves to starve. You have not the spirit of  
 " nationality in you. Without being in the Church your soul is dead, and without  
 " the spirit of nationality, you are dead both soul and body.

" Now, I will ask you here to-day to pledge yourselves to take no lands from  
 " which another has been evicted. If you do not keep that pledge the hour may  
 " come when every honest Irishman at home and abroad will have a record of  
 " your name. The name shall be duly published. I ask my friends to keep that  
 " pledge that you have made before to take no lands from which another has been  
 " evicted. In this county there are land-grabbers encouraged by the priests.  
 " I don't want to name these, but I want to tell you that the priest who takes the  
 " part of the landlord has some selfish end in view. But I say it is better for you  
 " to die fighting for the land of your birth than to die starving. My friend says  
 " it is better to die now when you are able to die, than to die next year when you  
 " are not able to die. The Government has sent into the country an amount of  
 " seed called 'Champions.' I will ask you here to-day to say you are champions.  
 " I will ask the young blood to put up their hands and say that they will fight for  
 " the land of their birth if the fathers did not do so. O'Connell once said that  
 " the land of Ireland would be dearly bought at one drop of blood; but I differ  
 " from him. It is better for you to lose your blood as Allen, Larkin, and O'Brien  
 " did, and we are determined to do the same \* \* \* I repeat the names  
 " Allen, Larkin, and O'Brien. 'They have walked to the scaffold. The last  
 " prayer they uttered from their lips was, 'God save Ireland.' The last word I  
 " will ask you to say are away with land-robbers, and God save the people. In  
 " referring to the land-sharks and land-grabbers, unfortunately we have them in  
 " our midst. I ask you in the name of Irishmen to treat them with contempt,  
 " pass them by, don't speak to them in the fair. (A voice: 'Give them what  
 " 'Lord Leitrim got.')

" (Mr. J. W. Nally.) You are too cowardly to do that."

81. (Sir H. James.) I believe it was known to you that Lord Leitrim was shot?—  
 Yes.

(Sir H. James continuing to read—)

" Mr. Gordon continued:—Pass them by with scorn, and I will tell you, my  
 " people, that like Lord Castlereagh, when he sold his country to the Government,  
 " they may go and buy a razor and cut his throat. If they are treated with  
 " contempt, they will come and ask forgiveness of their country. But don't  
 " forgive them. They have sold their nationality, and away with them. My  
 " friend here wants me to propose that no young man in the parish will marry  
 " the daughter of a land-grabber. I know this gentleman himself was paying his  
 " addresses to a very nice young lady, but when he found there was a land-grabber



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“ in the family he would not speak to her at all. I have come here amongst  
 “ you that my voice will carry to you and bear home the lesson which I have  
 “ told on the platform. Bear in mind that the land is yours, and that you are  
 “ determined to have it; you must fight for the land of your birth.

“ In conclusion, I will ask you to repeat the pledge. Every man to raise his  
 “ hand and pledge himself before God on high that he will never take a holding  
 “ from which a tenant has been evicted, and that you will proclaim to the  
 “ Government that the land is ours, and that we are determined to maintain it.  
 “ (Cheers.) ”

82. We now pass to County Kerry, October 24th, 1880. Have you got a transcript of that?—Yes.

(*Sir H. James.*) My Lords, that was referred to in the Attorney-General's opening speech. The second day, page 6. The numbers were not made consecutive until a later period. The place, my Lords, is Brosna, county of Kerry, and my learned friend the Attorney-General opened the speech of Mr. Timothy Harrington. Will you turn to Mr. Harrington's speech?

(*The President.*) Is this a speech of Mr. Harrington's?

(*Sir H. James.*) It is a speech of the gentleman I referred to.

(*The President.*) Can his position be defined?

(*Sir H. James.*) He is one of the gentleman scheduled.

(*Sir C. Russell.*) Mr. Harrington was the secretary of the National League. At this time he had no official connection whatever with the Land League at the time this refers to. He was afterwards, I think, the sole secretary of the National League.

(*Sir H. James.*) We will leave it in blank as to what Mr. Harrington's position was in 1880; as my friend has no information to give us we will leave it blank.

[*Document put in and read, and was as follows:*]

Mr. Harrington said — “ Men of Cork, Kerry and Limerick. After the  
 “ speeches you have heard, I propose this resolution — ‘ That we pledge  
 “ ‘ ourselves never to take a farm from which a tenant has been evicted,  
 “ ‘ or has been obliged to surrender for non-payment of an exorbitant rent,  
 “ ‘ and we will hold no intercourse with such persons.’ You are to put  
 “ your opposition to that person into definite form. It devolves upon you not  
 “ upon any account to take a farm from which an honest tenant-farmer has been  
 “ evicted. That resolution has been proposed for the last three or four months.  
 “ I could not do better than give you an opportunity of seeing how it will work.  
 “ In one holding in North Kerry the landlord evicted a tenant for over-holding  
 “ the land, the rent being double the Government valuation. The tenants pledged  
 “ themselves not to take the farm. The landlord would not give way, and he  
 “ held the farm in his own hands. One day he tried an auctioneer on the grounds,  
 “ and I can assure you the auction was well attended, some thousands of persons  
 “ being there. When the auctioneer entered the grounds not one of them would  
 “ approach him, and like Mahomet when they did not approach him he came to  
 “ them, and in a fortnight he thought it the better form to re-instate the tenant.  
 “ In another part of the country a man in an evil hour came and took a farm from  
 “ which another had been evicted. He endeavoured to dare public opinion for  
 “ three or four months, but he could not win; and the jeers and scorn with which  
 “ he was met wherever he went he could not dare, and after retaining the farm  
 “ for a period of four months, John W. O'Connor surrendered it to landlord.  
 “ Instances of the kind may be mentioned in other parts of the county. But a  
 “ few instances will suffice to recommend to you the practicability of the resolution.  
 “ Depend upon it you have in your hands the settlement of the land question.  
 “ If you will not take a farm the landlord will soon realise that eviction  
 “ is not a paying game, and will give it up. The Government appeared  
 “ to recognise a few months ago that emigration ruined the country, and have  
 “ introduced into Parliament the Bill to deprive the landlords of the power of  
 “ eviction. The Bill was rejected, and the people of Ireland will not reap the  
 “ benefit. Is it not unaccountable that when they did recognise this, that they  
 “ give to the landlords the sheriff and a posse of police when they wish to go to  
 “ evictions? Is it not very strange that they will still give to the landlord that  
 “ power of eviction? To enable the landlords to carry on that work of eviction  
 “ they have added to the police force in Kerry, in Mayo, and in Galway. They



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“ have done more than that. They have threatened with prosecution Mr. Parnell, and the leading members of the Land League, and I believe myself amongst the number; I know I speak the sentiments of others when I say a fig for their persecutions. Any Government claiming the right to rule in justice should listen to the voice of these men. So far from the threat of persecution deterring the members of the Land League—

“(A voice). Let them go to hell.

“ Mr. Harrington.—I have no doubt but it will enable them to carry it on with greater force. They know that everything good in Ireland was persecuted. Education was banned, and every virtue that they could suppose was persecuted. We call upon them to prosecute us for the movement in which we are now engaged, and I have no doubt that if they wish to spread the struggle in which we are engaged they could not take a better way to do it. In one case, where a tenant was evicted in the neighbourhood of Kilrogan, a party of tenants came and put the tenant into his house. What do you think the authorities of the country did? They have arrested that tenant, and took him out of his house, and gave the other an opportunity of entering it; and for no other reason but being an accomplice in outrage. A prosecution such as that will fail. I then charge upon them, that in taking that honest man from the house in which he was put by his neighbours, that they merely give to the landlords the right of taking the holding from which he has been evicted unjustly. You are called upon never to take a farm from which a tenant has been evicted. Assembled as you are, from the three counties of Kerry, Limerick, and Cork, will you now unite and hold up your hands never to take a farm? Will you pledge that if anyone amongst you breaks the pledge, will you promise that with that man you will hold no commerce, that you will hold no communion with him, except as an enemy of the Irish people? I will only impress upon you that you have given your pledge to that resolution, that you will carry it home with a reminder, and on every opportunity you will put it into practice. If you do you will soon find an opportunity of settling the land question.”

83. That is all Mr. Harrington, I think?—Yes.

84. 20th February 1881, is the next I have. My Lord, this was not mentioned by the Attorney-General. Did a Mr. Boyton speak there?—He did.

85. “Dingle, Count Kerry.” You have got Mr. Boyton’s, have you?—Yes.

(Sir C. Russell.) I am told afterwards he was an organiser.

(The President.) Who was that?

(Sir C. Russell.) Boyton. My friend has asked who he was, We will learn more accurately.

(Sir H. James.) I have only the initials of the name, Mr. M. P. Boyton,

[The document was read, and is as follows]:—

“ Mr. M. P. Boyton, of the Dublin staff of the Land League, said, ‘Ladies and men of Kerry, it gives me great satisfaction to see here to-day, if it were wanted, evidence of the pluck, the manliness, the intelligence, and the determination that I have been eye-witness of in every part of this great country since I set foot in it scarcely a week ago. (Cheers.) I am glad to see the people of this peninsula take their part in this great national struggle, and I feel very sure that what one of the preceding speakers has stated, that it was not your fault that you are late in the field. I feel sure now that you are in the field engaged side by side with your brothers throughout Ireland; that you are prepared to take your place in line like men, and that Kerry, historic Kerry, where they are second to no county in Ireland, not even boasted Tipperary (hear, hear). I say that we were engaged in a war. It is, my friends, a war, war, war to the death with the vile infamous system that has been sustained and propped up, to the debasement and degradation of the Irish people. Our worthy and reverend chairman told you that there were good landlords here in Kerry. I ask you to know what your voice meant that you gave in passing that first resolution—your adherence and support to the principles of the Irish National Land League. When you gave your voice to the resolution, you all joined that voice with the whole voice of Ireland that landlordism, good, bad, and indifferent, must go for ever (cheers). We war with the system and not with men. But if it were with men that we did war, I can tell you that is here, to Kerry, we would

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“ ‘ come first, for I know it right well, as I am sure you do, that this county of Kerry  
 “ ‘ is not only the most oppressed, crushed, and rack-rented counties in Ireland,  
 “ ‘ but its land tyrants are the verriest devils in the land (cheers). I tell you also,  
 “ ‘ and I speak with words of weight, for I am one who should know, from the  
 “ ‘ information throughout the country, that is done through this organization by  
 “ ‘ its centre in Dublin. I tell you also, that not only are your Kerry land  
 “ ‘ tyrants the worst in Ireland, but they pilot the machinery by which they  
 “ ‘ degrade the people. The whole system’——

Then there are one or two words left out.

(Witness.) “ Wire pullers and spies.”

(Sir H. James, continuing)—“ The whole system, by their wire pullers and spies,  
 “ their gamekeepers and bailiffs, their understrappers, aye and their bilious agents,  
 “ I tell you there is no excuse for you in the field, but you should take no hand in  
 “ that, you will have no share in going in when this glorious end is accomplished,  
 “ and having some benefit from that law which will dispel for ever that system of  
 “ rack-rent in Ireland. You have good cause; you pay double and treble  
 “ and quadruple the rents—that are paid by the well fed, well clad, and comfort-  
 “ able farmers of rich Meath and Kildare; there is no excuse why you should  
 “ not be formidable soldiers in the regiment of the Land League in all Ireland.  
 “ Now I will take a simple common sense way of testing you. I have here before  
 “ me, at the least estimate, 2,500 persons or 3,000 men: I see that your condition is  
 “ far superior, if I am to judge by appearances, than those rack-rented and  
 “ crushed serfs of the West of Ireland, Mayo, and Galway. I feel that you are  
 “ better to do, perhaps; but I know, and from information I have had since  
 “ I came into the county, I feel sure that you are the hardest worked people in  
 “ Ireland. Out of these 3,000 men, how many are members of the Land League?  
 “ Not 10—the more to your discredit. If you, as Irishmen, allow your  
 “ brothers to go into the fight and win for you what they are hardly able to win  
 “ for themselves, I hope that the result of this speech will be the test of your  
 “ manliness and your worth as Irishmen, because we are fighting, not the work  
 “ of Kerry, but of all Ireland. We are fighting in the front rank of that element  
 “ that we will one day feel glad, and our own people will be face to face with a  
 “ higher and holier war than that of the land for the people. One of the most  
 “ eloquent advices has been given to you by that clergyman who has preceded  
 “ me. I marked the ring of his sentences, and I tell you you have been in  
 “ your midst true teachers of the people—men whose fault it would not be  
 “ if they have no followers. I remarked the words of the first man who spoke to  
 “ the resolutions (Father Scully). Well, I have been for some 12 months lifting  
 “ my voice at 200 or 300 platforms, and I tell you that I myself as an observer  
 “ of men at home and abroad, and that I have never yet witnessed such an  
 “ upheaval in all that is good in what has taken place in the character of the  
 “ Irish farmers within the last 12 months. They have come to the positions in  
 “ which their Maker made them. It was not in the position that you should bow  
 “ your head and bend your back to a piece of clay—to, perhaps your inferior  
 “ morally, and always physically. I hope before long the day here in Kerry that  
 “ is dawning in the West of Ireland, that no man will lift his hat to any man  
 “ except the minister of God. I tell you that I have seen myself improved the  
 “ statement I have made. With respect to that in the West Coast of Ireland,  
 “ in Galway, where I saw the poor illiterate people take off their hats to  
 “ policemen. Such a state of things has passed away for ever as the clouds  
 “ passed from the brow of that mountain on our way here to-day. I wish  
 “ people to know I say this with just as much respect for the guardians of law  
 “ and order as my worthy friend the chairman. I wish you to know that these  
 “ policemen are your servants (cheers). Every man who pays rents or taxes  
 “ pays their wages and pays for the buttons of their coats (hear, hear). They  
 “ are the guardians for the time being. They are the guardians for the peace  
 “ and order of the district, but you are the true guardians for peace and order  
 “ and welfare of your own selves (hear, hear). I wish you to take this lesson  
 “ from the police. Your chairman spoke of their order, the fidelity with which  
 “ they do their duty and discipline. Now then, take that lesson from them.  
 “ Do you your duty, be disciplined, and it is your duty by watching that these



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“ policemen, or the humblest helps of landlords do not exceed their duty by one  
 “ hair's breadth. I shall try to give to policemen the respect that belongs to  
 “ them. But I ask you to mark the man amongst you who fears one of them  
 “ or a hundred of them, as a coward. They have no power, and they will have  
 “ no power to injure you or yours in your property. They have this power.  
 “ There are some officious members in the Royal Irish Constabulary who have  
 “ too large an interest in the present condition to desire a change. It is your  
 “ duty, when they come to you, or to any of your neighbours for information,  
 “ or for any purpose that will intimidate you, or make you afraid, treat them  
 “ with contempt, and do not, as too many of our people have been too ready to  
 “ run to them with a story. I don't know that I can do better in speaking to  
 “ you on the resolution protesting against coercion of this nightmare that is  
 “ overhanging the country. The fear that is in the minds of the people, the  
 “ fear that they will be held responsible or imprisoned for some outrage that they  
 “ never had a hand in perpetrating. Mr. Parnell is a man of great importance,  
 “ and I stand here to-day as the representative of C. S. Parnell. I tell you, each  
 “ and every one, these words from his letters, and take to heart and ponder over  
 “ it, and take home and act upon it. Mr. Parnell says, ‘I don't believe the  
 “ ‘arrests will be numerous; for although probably a widespread system of  
 “ ‘terror by means of warning conveyed to individuals through the police will  
 “ ‘be adopted.’

“ Now, if any policeman come to you to warn you of the consequence of any  
 “ of your acts, I won't tell you to tell him to go to the devil, but I shall tell you  
 “ to act as if you were going to tell him that. Mr. Parnell says, disregard  
 “ these threats. Don't leave your post; and that post is the homestead that you  
 “ have utilised and made your home. Your post is there to watch the land-  
 “ grabber, to watch the man that pledged himself to his fellow tenants not to  
 “ pay an unjust rent, and yet sneaked behind his back to pay it. Organisation  
 “ is power, and have others ready to take the place of those arrested. By this  
 “ policy the Irish people will command the respect of the whole world, and prove  
 “ yourselves worthy of what we are really fighting for, freedom. Mr. Parnell  
 “ says the tenant farmers are not called upon to make great sacrifices, and it is  
 “ true. Those who refuse to pay an unjust rent and not to take a farm from  
 “ which others have been evicted for non-refusal. If they collapse on the first  
 “ pressure, they will show themselves unworthy of what has been done for them  
 “ the last 12 months; and they will see that oppression and tyranny will be and  
 “ should be their condition. Mr. Parnell says to take hope for the future of our  
 “ country. With the knowledge of this speaking, having heard its voice, with a  
 “ full determination to continue working, and the work of my associates, knowing  
 “ that the good and true men of this portion of Kerry are now coming to the  
 “ rescue; and I will continue that work until the bars of a British prison silence  
 “ me. I will conclude with the words of the leader of the Irish people:—

“ If, on the other hand, the farmers of Ireland prove themselves worthy, and  
 “ bear themselves like men, willing to suffer a little for the good of all, they will  
 “ make for themselves a place in the history of their country; and I have every  
 “ confidence that they will. . . . And with the spirit which has been in  
 “ them, will outlive this temporary attempt at coercion. The honour of Ireland  
 “ is in the keeping of her 600,000 tenant farmers, and all you have to do is to  
 “ keep an excessive rent in your own pockets—to keep possession of your  
 “ homesteads.

“ And these are the things you could do, and by doing any of these three,  
 “ you can be a good land leaguer, and be worthy of that which Mr. Parnell calls  
 “ the ultimate finally for these freedoms. If you refuse to pay an unjust rent,  
 “ and refuse to take a farm from which others have been evicted, a brilliant  
 “ victory will crown all our efforts. (Cheers).”

(Sir H. James.) We will pass now to the 6th of June 1881. I refer now to page 9  
 of the second day of the Attorney-General. The first speaker was the Rev. Michael  
 McMahon, parish priest, of a place called Boherbue, Co. Cork.

(The President.) What was the place of meeting?



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[Continued.]

(Sir H. James.) Knocknabul, in the County of Kerry.

(The document was put in and read, and was as follows:)

“ Rev. Michael McMahon, P.P., Boherbue, County Cork, said,—My dear friends, I accept the trust put upon me. We are come together to express our rights and to express our opinions openly and intelligently in the presence of the country. The object of this coercion is undoubtedly to stop the action of the Land League. There could be no justification strictly brought out. There was no necessity, no excuse. It was based upon what no man could believe, anonymous threatening letters. It was based upon English newspapers and police exaggerated reports. No doubt where these took place they were in number and malice far less than where there was no coercion. These disorders put away the operations of the ordinary law. Therefore I say in the words of our placards that this coercion is unwarrantable and unconstitutional. But at the same time while we lie under it, it must be our aim to make it as harmless as possible. And we would act as fools, and be playing the games of our enemies, if folly and recklessness brought us under its grip. Therefore, let me impress upon you, my friends, to abstain from any word or any one act that might be used for bringing you within the meshes of the law. Our cause is strong and just. Now we need not be surprised. The English power in Ireland has always in every page of our history had recourse to coercion as at present. The present Coercion Bill is unique in its way. It is more extensive in its operations than any of its predecessors. It is intended to strike down our Members of Parliament and out of it. In Parliament by what is called the closure, and out of it by arbitrary arrests, and I may mention the patriotic John Dillon and Father Sheehy. This Coercion Bill will impose its mark on Parliament and out of it. This closure, as it is called, it was intended to close the mouths of our members. They retain in Parliament all the essential rights of legislators to speak to Bills, and put questions, and present Bills. And it is admitted they are always masters of the Parliamentary situation. Our M.P.'s they place on an eminence, from which their voice can reach the end of the world. They were unknown and unnoticed, but now they are known to be an independent party, the representatives of the national mind in Ireland. Therefore, they are watched all over the Universe. The widow at home, the exterminator, the oppressor, the scourge, the evil doer, whatever may be his rank in society, when he goes abroad he will find his extermination, his extortion is spread out before his eyes. He will find his name in private society, and he will find his name received with loathing and disgust. He will shrink from the exposure with which his misdeeds will have him subject to, and, therefore, he will take good care not to repeat them again. We have the ears of the world open to our state by the action of our M.P.'s. Coercion was intended to strike down the Land League; it will only strengthen it. At home it will frighten no man from its ranks. It will draw our ranks together the stronger the pressure bought to bear upon them. And it will send John Dillon back to Parliament and more determined to work in our cause than before. And the first opportunity offers it will cause you, the constituencies of Ireland, to send back colleagues to support him. And it will show the world that we are thoroughly in earnest, and it will bring our American friends more particularly and zealously to our support. The Coercion Bill has incarcerated two brave men. It fixes upon individual hearts, but it frightens no one (hear, hear). That Coercion Bill is impolitic—impolitic because our rulers, and if they looked to the position of the Irish estates they never would have recourse to it. It sends abroad them, if justice were done to them at home, if they got the rights of freemen. It sends them to become vehement and implacable and undying enemies. And were they to open the pages of history to see the heavy blows dealt by the expatriated Irish in past times inflicted upon the English Government, and the very serious danger they are to apprehend from them. When Irishmen were in the French service, when the Irish brigade existed, when Englishmen and Irishmen were in the field the Irishmen were always placed against the Englishmen. So sure were the French sure of carrying the day. Even in those great battles where the French were beaten, the Irish broke one section on the field, and brought back the English colours.



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[Continued.]

“ At the battle of Fontenoy, as you may have heard, the French were forced to fly. One resource remained, 5,000 of the Irish brigade. They got the word to charge. Lord Clare, the Irish general, turned round in his saddle and said *(here the speaker made use of an Irish phrase)*. And when these words were uttered, they rushed in upon the English column, irresistibly, like a thunder cloud, and trampled them to the earth.

“ At the American war, Washington's war with America, got through 100 years ago, the Irish contingent contributed most materially to its success. Englishmen sought to draw them away from the American cause, and heavy bribes were offered them. John Barry, the father of the American Navy, left Ireland a poor man's son of 14 years, and he got up American ships of war. At the outset he was offered by Admiral Wington the command of an English ship of war and 50,000*l.* if he only deserted America. The Irish hero said that there was nothing in the gift of the King of England that would detach him. In the war of 1814 between England and America that same Navy created by John Barry defeated England in the height of her power. That was the work of an Irish exile. The greatest commanders in that fleet were McDough and Stewart, the grandfather of the present Charles S. Parnell. They dealt their blows upon the English. And the American army led by Jackson, and \* \* \* \* two Irishmen also, they destroyed the English army.

“ Now, will nothing open the ears of our English rulers? The English element is a strong and growing power upon the earth. And they surround the British empire in thousands, prepared to break upon it any moment. Foreign complications may involve England any day in war. I was surprised to hear from English writers that England and English newspapers are of opinion that any foreign army would beat down the English on their own shores.

“ This Coercion Bill is impolitic for our rulers, and it is impolitic for our landlords. We want to make known our sentiments openly, honestly, and clearly. We are not afraid of anyone. An English writer says if the resources of this Ireland were properly carried out, it would be the richest and most prosperous island in the ocean. Our people are going to the end of the earth, in order to live, which they could hardly do at home. And the infatuation of the landlords is simply inconceivable. Future generations will not believe it. That any class of people would suppose that they were supporting their own welfare by cutting off a brave, hardy, and virtuous people. They are going against their own interests. Coercion therefore is impolitic in the highest degree, and is inhuman. Mr. Gladstone, 30 years ago denounced the government of the King of Naples as the negation of God. This King of Naples was denounced for doing what we are doing now, ourselves, for putting people to jail without trial, with this difference that he was a really good man, and the people were murderers and malefactors of the deepest type. Still the imprisonment of these men was denounced as a denial of God. Eviction is inhuman, impolitic, and it is inhuman in a special manner, inhuman for the government, and inhuman for the landlord. A pool of blood lies at their door. And the voice went up before God, and brought down vengeance upon the murderer. The united voice of millions of our evicted people is going up to God invoking his vengeance like the martyrs in the Apocalypse upon those who shed it. And as God's justice still rules the earth, or as God's judgment must still prevail, the authors of this destruction has just reason to tremble for its results. Because when the question is put to them as it was to Cain: Where is thy brother? neither wealth nor power will get them off from the position ‘Am I the guardian of my brother?’

“ I have kept you too long. But mind if you get the rights of the landlords without violating any law of God or man you will frustrate coercion and eviction, and secure victory to yourselves in the end. What have you to do? You cannot do without your own land. You are not bound to look for it anywhere else. You can buy grazing, or grass, or grazing produce wherever you like. You can carry your own two hands to work wherever you like. You can choose your own companions. Combine those rights under the League. Set them vigorously, zealously, and unflinchingly, and you will carry out the rules of the



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[Continued.]

" Land League, and without coming into collision with any law you will baffle the  
 " Legislature, and secure happy homes for yourselves.

" I will say one word about the labourers. One of the resolutions which will  
 " be read and spoken to by-and-bye calls upon all the farmers in the country to  
 " give then and there at this moment what they can so easily do,—give the poor  
 " man his potato plot at the landlord's rent and leave him there. We are fighting  
 " the farmers' cause. I tell you very plainly that if the labourers separate  
 " themselves from you and fall into the hands of the landlords, our movement  
 " would be cheerless and our success would be little indeed.

" Farmers stand to the labourers and labourers stick to the farmers. You  
 " have stuck together, and suffered together, and toiled together. In the name of  
 " God now toil together. Labourers stick to the farmers, and with the blessing  
 " of God victory for the whole of us will be the consequence."

(*Sir H. James.*) Then, my Lord, the Attorney-General at the same page, page 9 of the Second day, referred to this. This is the Rev. Mr. McGillicuddy, Catholic priest of Castleisland.

[*The document was put in and read; it is as follows:*]

" Rev. D. McGillicuddy, C.C., Castleisland, proposed:—' That we protest  
 " ' against the imprisonment of Father Sheehy as an outrage upon society, upon  
 " ' religion, and upon the feelings of the country.' He said, ' It might, perhaps,  
 " ' come better from a layman to defend the priests than for a brother priest to  
 " ' stand up in his defence. Yet a brother priest in this present case has a right  
 " ' to stand up in defence of Father Sheehy. (Cheers.) Any priest who has  
 " ' taken a share in the land movement, and who is a member of the Land League,  
 " ' must look upon the arrest of Father Sheehy as something personal to himself.  
 " ' (Hear, hear.) His cause was my cause, and the cause of every priest who  
 " ' calls himself a Land Leaguer. If Father Sheehy has done wrong in pleading  
 " ' the cause of the tenant farmers, we have all done wrong, and if Father Sheehy  
 " ' has been punished, we all deserve punishment. If we hold ourselves innocent  
 " ' will we say that Father Sheehy has been wrongly punished? What has been  
 " ' Father Sheehy's crime? Let me ask any man here if Father Sheehy walked  
 " ' this road down here to-day and saw the ruin that you saw, if a groan of  
 " ' indignation came from his breast who would condemn him? And this is Father  
 " ' Sheehy's crime. He has never done or said anything that would be worse  
 " ' than if he stood about the pile of the ruins of Donoughue's house and said,  
 " ' " Oh! Herbert " (cheers and groans). This is Father Sheehy's crime, and this  
 " ' is not criminal. His punishment, then, is unjust. It is an outrage upon  
 " ' religion. Clearly the arrest of an Irish priest is an outrage upon the religion  
 " ' of the Irish people. It requires no proof whatever, and this is an outrage upon  
 " ' the feelings of the country. For your feelings are all Catholic, and when the  
 " ' priest is wronged and injured your feelings are outraged. In Father Sheehy's  
 " ' conduct there was no low, mean object. He had no low, personal end. He  
 " ' had no interests of his own to gain. He did it as a duty, the duty of a priest  
 " ' towards the people. His conscience alone urged him on, and in the guidance  
 " ' of that conscience Father Sheehy acted. And his action displeased the  
 " ' Government, and now he is in jail. From this place we send Father Sheehy  
 " ' our heartiest sympathy to his prison cell. We bid him to be of good cheer,  
 " ' and we hope that the day of deliverance is not far from him (cheers). ' "

86. I see the words are mentioned here, " If he says, ' Oh! Herbert.' " To your knowledge, I believe, Mr. Herbert was shot a few days afterwards?—Some time. ;

(*Mr. Lockwood.*) You said a few days.

(*Sir H. James.*) I withdraw it.

87. How long was it after that Mr. Herbert was shot?—I could not say. I was not stationed there. I only know what I saw in the papers.

Can you find me the transcript of Mr. Curten's speech?

(*Mr. Lockwood.*) Is that all, Sir Henry, at that meeting?

(*Sir H. James.*) No. I am just finding Curten's speech. I want Curten's first, and then O'Rearden's. My Lord, this is Mr. Curten. It is headed in this report, Newmarket, County Cork, shopkeeper. It is mentioned by the Attorney-General at page 9 of the Second day.

(*The President.*) At what place?



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[Continued.]

(*Sir H. James.*) It is the same meeting, Knocknabul, in County Kerry.

[*The document was put in and read, and was as follows.*]

“ Mr. Curten, Newmarket, Co. Cork, Shopkeeper, said:—‘ Fellow countrymen—  
 “ ‘ It is scarcely necessary for me to tell you what has brought us here to-day. We  
 “ ‘ come not to lament merely for the event which has occurred in our neighbour-  
 “ ‘ hood lately. We have come not to weep over it, but we have come with the  
 “ ‘ hearts and spirits and belongings of men to trample upon the system that has  
 “ ‘ produced that event. That event is the one that occurred in this hollow a few  
 “ ‘ days ago; the indignation that has been expressed at this meeting, not only here,  
 “ ‘ but throughout the country. You all heard the very able speech of the labourer’s  
 “ ‘ best friend, Father McMahon (cheers). It would be a gross impertinence on  
 “ ‘ my part to say a word by way of commentary on that speech. But if you all  
 “ ‘ took particular notice of that speech and carried home the lessons, I say if you  
 “ ‘ were 20 years at school you could not be better instructed. That speech  
 “ ‘ contained all the principles of the Land League. You were told what to do  
 “ ‘ to-day and, though not directly, you were indirectly told what to do with this  
 “ ‘ farm below.

“ Now, one of the rules of the Land League is that you will not bid a  
 “ shilling for a farm from which another has been evicted. Is there one here  
 “ to-day that would bid one-eighth of a farthing for it. Let it stop there, and  
 “ let it lie under the ban of the public, and under the ban of the world, and  
 “ shall be under the ban of that glorious institution the Land League. And  
 “ let it stop there as a monument, as a memorial of Herbert’s perfidy. Let it  
 “ stop there to remind him and his abettors—I mean himself and his company.  
 “ Let it stop there to show that we the people are united to a man, and that  
 “ they will never suffer an Irish, or an English, or any machinations to defeat  
 “ us. Let it stop there till Herbert goes down to the grave, and badly he  
 “ is able.

“ A voice:—Let him go down to hell.

“ Mr. Curten:—I don’t want you by any means whatsoever, as has been  
 “ told you already by your worthy and respected priest Father O’Rearden, I  
 “ don’t want you to make use of a word against that man. I don’t want  
 “ you to make use of that ugly word Boycott. But I will tell you that there  
 “ are many ways of killing a dog besides choking him with butter. Well, we  
 “ won’t by any means boycott Herbert; not only Herbert, but anybody he  
 “ may send to the place. And I presume that Herbert won’t make his  
 “ appearance often amongst you, and that would not be any great loss; and  
 “ it would not be any great loss if he did not appear in Castle Island. I will  
 “ ask you again not to boycott him. . . . I will impress upon you  
 “ again not to be guilty of boycotting the fellow. We were all meaning to be  
 “ free. . . . If we choose to like a man we will, and if not we won’t.  
 “ No government can compel us to like a man if we don’t like.

“ There is a monument standing below there. I say no man will touch that  
 “ monument, or take a stone from it, so as that it will remind you of the  
 “ occurrence. So long as that monument will be there, there will be no successor  
 “ to the late tenant. If you see any man taking a stone from that monument—  
 “ well, do not touch him, but at the same time do not let him. And if you see  
 “ Herbert himself taking down the monument—well, do not touch him. I believe  
 “ Herbert is a bad labourer.

“ It has been the custom of landlords that the tenants should mind the  
 “ rabbits, and the grouse, and all sorts. That was the custom of these days.  
 “ I hope the men of Knocknabul will give the privilege to the landlords and  
 “ agents to mind their game. There is one privilege I will give you, though I  
 “ have no authority. If you meet a hare, if you meet a hare or a rabbit, if you  
 “ knock him down, use him up for your own dinner. I say, for one, every man  
 “ is entitled to the game his own land produces. He is as much entitled to  
 “ the game as to the land that feeds him. I don’t see why any landlord should  
 “ convert a poor man into a serf and a poultryman. I hope you will all show  
 “ that independence by not stooping any longer to any landlord, I don’t care  
 “ who he is, or to any agent. Hold up your heads before them as men God  
 “ intended to be free—and I hope soon will be free.



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[Continued.]

" Father O'Rearden told you to publish everywhere in the district that the people should see that Mr. Herbert gained little; that they are going to lift him to a very high position the next time he comes amongst you. When you all combine to do a little it will amount to a great deal in the aggregate. Therefore let it go around, from the centre to the sea, that Herbert will be one of the most important men in the country, far more so than Boycott or Bence Jones. I will go and bring some man that might make Herbert one of the most remarkable men in the country (cheers)."

(Mr. Lockwood.) I think that was the first time Curten's name was mentioned. As I understand, he had no official connexion with the Land League.

(Sir H. James.) Then the Rev. Mr. O'Rearden, page 10, the second day, the same meeting.

[The document was put in and read, and was as follows.]

Rev. Mr. O'Rearden, C.C., Boherbue, said:—

" I have been asked to propose to you the following resolution:—

" Resolved: That we protest against unjust or capricious evictions as impolitic and inhuman, and ruinous to the country's welfare, and that we call special attention to the recent eviction in this locality, the scene of which lies before us.

" Fellow countrymen. The principal reason why we have called you together here to day is to protest against an act of . . . that was perpetrated in this district a few days ago. As many of you have witnessed, and as all of you have heard, an unfortunate tenant with his wife and nine helpless children were thrown out on the road-side, and in the presence of a large collection of people, and by the agent, not content with throwing the fellow outside, but his men proceeded to throw down the house and level it to ground (groans). I want you to listen to me while I give you a history of this case, for I am here to day to denounce those who have perpetrated this outrage upon civilisation. This unfortunate man held a farm at 26l. The valuation was 8l. 5s. Some five years ago he lost eight cows. The bad years, the years of oppression, followed shortly after that, that brought you all to the brink of ruin. In September '79 he owed a year's rent, which he was unable to pay. He was evicted. He was allowed in as caretakers, thinking that he might have to leave the place. That man would have met with the fate which befel so many in '47 and '48, had not Providence raised up that benefactor of his race, C. S. Parnell. He was supplied by the relief committee and by the funds of the Land League. At that time the rack-rented fellows of Donoughue offered the landlord a valuation and a half. In the end he accepted it. When they saw this they came over and offered to pay the rent of Donoughue if the landlord would accept of it."

(Mr. Healy.) I ask your Lordship to notice that the witness is constantly writing in the middle of his notes.

(The Witness.) I beg your pardon; I am doing no such thing. I am merely following the speaker.

(Mr. Healy.) I saw you do it for the last 10 minutes.

(The President.) At the moment I was not looking. I have seen what the witness was doing. He is following his notes of the speech.

(Mr. Healy.) He was using his pencil and writing on a book.

(The Witness.) I was just following every line as he goes along, so that there is nothing I have not on the notes.

(Sir H. James.) You have not been writing at all?

(Witness.) No.

(Mr. Healy.) What have you been doing?

(The President.) This is not the time for putting questions; and the thing which has been done has been done under my own eyes.

(Sir H. James.) "In the end he accepted it. When they saw this they came over and offered to pay the rent of Donoughue if the landlord would accept of it. He was willing to pay. He offered solvent security to the agent. That man they admitted to the farm would work like a horse to keep the roof over his children. Repeated applications were made to the agent to re-admit him. Our esteemed chairman did all he could to have him readmitted, but in . . ."



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[Continued.]

“ A decree was obtained, and then, in the presence of the people, in presence of  
 “ the agent, his hirlings proceeded to level the house to the ground. Now I say  
 “ here to-day, and I know the effect that act had upon the feelings of the people,  
 “ I say it was calculated to disturb and excite the people, and cause outrage in the  
 “ land.

“ Mr. Forster seems to be at present only listening to one side of the story.  
 “ I say here to-day that there are some men in prison, some of whom I am proud  
 “ to call my friends. I say that that act of outrage was more calculated to  
 “ disturb the peace than anything that these people might reasonably be suspected  
 “ to have done.

“ I have a great objection to bring any man's name under censure, public or  
 “ private, but I will not withhold the name of the landlord here to-day. The name  
 “ is Mr. William Hartlet, the name of the agent is Mr. A. Herbert (boos); and I  
 “ brand them here to-day as disturbers of peace and order in the land.

“ Now, as Mr. Herbert is living in England away from us, I will say no more  
 “ of him at present. I am not going into the history of this property. It is the  
 “ old story so common in Ireland, where the people, by their incessant toil,  
 “ reclaimed mountain and bog; and, as civilized beings, would live nowhere else  
 “ except in Ireland, and where the landlord increases the rent according as these  
 “ poor people made improvements. Now, I will only say to you that some of  
 “ these tenants are paying 300 per cent. over Griffith's valuation. Some of them  
 “ are paying less, but the total rental of this property is taking altogether 33 per  
 “ cent. over the valuation. (Shame). Now, these tenants offered their landlords  
 “ for the rent now due, a valuation and a half. He refused to accept it. Well,  
 “ they then offered him that he should appoint one valuation, that they would  
 “ appoint another valuation, and let their labour be taken into account, and they  
 “ were satisfied to pay any rent fixed. He then offered the miserable abatement  
 “ of 10 per cent. They refused to accept it. \* \* \* \* I know many of you  
 “ in this property, and know how the people have toiled and lived, and I have  
 “ no hesitation in saying, that if they had a fair court, they would say that these  
 “ rents are too high. They offered to wait for the court, and he refused  
 “ to do so. Can any fair-minded man see any injustice in the language of these  
 “ people. We are told that this landlord and agent intend to come out here and  
 “ serve these people with writs and ejectment processes. Now, I am here to-day  
 “ to tell this Mr. Arthur Herbert (boos), that if he comes into this remote district  
 “ to disturb the peace, that if he dares to do it, that, though we will not injure a  
 “ hair of his head, that we will make an example of him (cheers). We complain  
 “ that since the confiscation, that the landlords as a class have done nothing to  
 “ conciliate the people. We complain that they have been doing too many things  
 “ to fan and keep alive the hatred that was created. We complain that any  
 “ legislation coming to us from England is in favour and in support of that class.  
 “ Mr. Forster seems to be listening to only one side of the story. He said  
 “ that the men whom he was applying his Coercion Act were village tyrants, and  
 “ so on, who were disturbing the peace. If these cabins over there could be  
 “ called a village, I say that this attendance of Mr. Herbert amongst his  
 “ people was pre-eminently a village tyrant. I could undertake to prove that  
 “ those coming here the other day, and seeing that unfortunate man with his  
 “ large helpless family on the side of the road, that this act of levelling  
 “ that house in the sight of the people was pre-eminently calculated to disturb  
 “ the peace, to provoke law breaking, and create disturbance in this district. If  
 “ Mr. Forster is just, let him raise himself above the prejudices to which he is  
 “ listening, and let him apply his coercion to anyone who may be calculated to  
 “ excite disturbance. Now, England, as far as I know, has never done that in  
 “ Ireland, and am I to expect that this Mr. Arthur Herbert will be so treated?  
 “ Is, therefore, this Mr. Arthur Herbert to be allowed without our protesting  
 “ against it? Is he to be allowed to come into this district to create disorder and  
 “ break up happy homes, though poor homes? I say he will not. I say the  
 “ homes of these poor people ought to be as sacred as the mansions of the wealthy.  
 “ I say I do not speak now to you folly or sentiment, I say what I have seen and  
 “ what I know to be a fact. And I say if you go into one of these humble  
 “ cabins, coarse though their fare may be, and humble the walls, if you go in  
 “ there when the day's work is over, you will see a spirit of religion and content-



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[Continued.]

“ ment that you would miss in many a wealthy home. If you want to understand  
 “ how sublime is the philosophy of catholicity, what a high and noble culture it  
 “ can impart, even to those whose lot in life is cast apart from them, go into one  
 “ of these cabins and you will see it there realized in an extreme degree. Is  
 “ therefore Mr. A. Herbert to be allowed to come in here and break up the homes  
 “ of these poor people, and cast them adrift on the waves of the world? I say  
 “ he will not. We will not insult him, we will not offer him violence, we will not  
 “ do him the smallest injury. The man that would go now and offer him insult,  
 “ or do him the smallest injury, would be the greatest enemy we have. A man  
 “ said to me that Mr. Arthur Herbert, after what is said of him to-day, will go  
 “ and get a rick of straw of his burned, or do something else. Now, I say, any  
 “ man who would do that man an injury, you should treat him as your greatest  
 “ enemy. Leave him to us, and leave that village tyrant to us, and if Mr. Forster  
 “ does not arrest him (cheers) I say speaking seriously from my heart, speaking  
 “ the sentiments of my heart to you, I say if that man ever comes before them  
 “ disturbing the peace, for breaking up the homes of the people, I say that man  
 “ has as good a right to be put in jail as many a man that is in it. I say to you  
 “ leave that village tyrant to us, and we will keep an eye to him, and if we  
 “ possibly can, we will guard you against him if there is any liberty in Ireland.  
 “ I ask you all to do this; the public in every town and village, and mark you,  
 “ you are the public; that if Mr. Arthur Herbert comes to ———— [*name not*  
 “ *distinctly heard*] to serve writs and create disorder to the public, that we will by  
 “ every lawful means endeavour to make him a remarkable man in the country.  
 “ (Cheers). I will also ask you to tell everyone that you meet, that no man must  
 “ do him the slightest injury, that no man must insult him, that no man should  
 “ offer him any violence, and that the man that would suggest it, that that man  
 “ is the friend of Mr. Arthur Herbert, and is an enemy to you, and to your cause.  
 “ Now ye will all promise me to do that. Will you promise that you will leave  
 “ him in our hands; we promise you that in that case that if we can, that we  
 “ will endeavour to stop his course of licencious disorder in this district at all  
 “ events; and I think it is very likely we will succeed. . . . .”

(*Mr. Lockwood.*) All this has been left out of the extract we have been furnished with. We have got in a very convenient form the extracts that were read, and as I know my learned friend at some time will comment upon some portions which have been read just now which aptly illustrate what I am calling your Lordships attention to; for instance, all these exhortations to abstain from violence, I will point out that there is not a word of that in the extracts read by the Attorney-General. I do not wish to interrupt my friend at any unnecessary length, I only wish to say I hope your Lordships will be provided with these extracts, so that your Lordships may follow as we are endeavouring to do, the speeches which have been read.

(*The President.*) As to the passages the Attorney-General read, those we already have, and of course we shall to-morrow morning have the whole context.

(*Mr. Lockwood.*) I did not know whether your Lordship had that. We have had them provided.

(*Sir H. James.*) Of course it will all go in?

(*The President.*) Do you mean in a separate form?

(*Mr. Lockwood.*) Yes, we have them in a separate form, which is a very convenient form.

(*The President.*) Provided by whom?

(*Mr. Lockwood.*) May I hand your Lordship a copy to show you exactly what we are referring to?

(*The President.*) Oh, yes.

(*Sir H. James.*) I really do not think my friend himself knows the object of his interruption.

(*Mr. Lockwood.*) I hardly think that is a courteous way of meeting me; and, on consideration, I do not think you will think so either. I assure your Lordship I had no other intention in making this interruption than to point out to your Lordships that it appeared to me, and to my learned friends, it would be convenient if your Lordship now had, at the time these speeches are being read, the extracts of such speeches as have been put in.



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[Continued.]

(Sir H. James.) I beg your pardon. I do not appreciate it. You are right; I do not appreciate it. Your Lordship shall have the full speech.

(The President.) I do not at all follow it. I am perfectly well aware that the Attorney-General was not reading the whole of the speeches, and I discouraged him rather from doing so, because I thought that all he had to do was to call attention to the passages that were of importance as he thought; but I, of course, saw the importance of having the context, and it is in order that we may see the context of the passages read by the Attorney-General that Sir Henry James is now reading the whole of the speeches.

(Mr. Lockwood.) Precisely.

(The President.) And we shall have them before us to-morrow morning.

(Mr. Lockwood.) I do not want to occupy time in repeating what I said. I am sorry I did not make myself understood to your Lordship. I was only anxious that when these speeches are read *in extenso*, your Lordship should have immediately before you an opportunity of seeing portions of these speeches which have been left out from the extracts which have been already read by the Attorney-General.

(Sir H. James.) If my friend really means anything, he means my friend the Attorney-General has improperly left out part of the speech.

(Mr. Lockwood.) No, I say nothing of the kind.

(The President.) I do not understand still. We have had parts by the Attorney-General, and now we are having the whole. That sums it up.

(Mr. Lockwood.) And it is the comparison of the two.

(The President.) That is a matter of observation by-and-bye, if you think it important. The Attorney-General stated that he was not reading the whole of the speeches.

(Sir H. James.) "Let us hear no more of these miserable outrages. They are your shame and your disgrace. Your cause does not want these things. Come out in the open daylight like men. Stand together. Let no landlord or his agent or friend cajole you or frighten you. Be loyal to one another. Keep firmly and unflinchingly the rules of the Land League, to which you all belong. Work on the lines it lays down for you, and I tell you that no injustice can stand against you. And let no man say that the labourer will not be provided for. The labourer will be provided for, and must be provided for as well as the farmer. And to use the words of one whose name I know is worshipped among you, the champion of peace, and the champion of the people, the great Archbishop of Cashel (cheers). He said, 'If you work peaceably and firmly together, every young man to do what is right, you will yet become a happy and prosperous and contented people' (cheers)."

That is the whole. The Attorney-General also read at the same meeting a speech by Mr. O'Keiff. The Attorney-General read it page 9 of the second day.

[The document was put in and read, and was as follows.]

"Mr. Patrick O'Keiff, Newmarket, co. Cork, Farmer (released Fenian), said,—

"Rev. Chairman and Gentlemen, Ladies, and fellow countrymen, I am asked to propose the fifth resolution which deals with the labourers.

"That we ardently call upon the farmers to do for the labourers what they so easily can, namely, to settle them where they are wanted, and let them to have plots and at the landlords rent until the Legislature make suitable provision for them by just legislation in Parliament.

"My friends the resolution is one that recommends it to everyone. I say on principles of justice and humanity that no farmer holding a piece small or large of land in Ireland that should grudge a piece to the labourer. Every man working with a spade and shovel should have the thing that the spade and shovel goes into, namely, a piece of the land. They are going out of their native land. It should be your duty to keep them at home, if possible, and deprive the stranger of their labour. It is a pity and shame that the industrious father and sympathetic mother, who after years of toil in rearing up a young girl with all the tenderness that only to an Irish mother's bosom; that



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BERNARD O'MALLEY.

[Continued.]

“ that boy and girl must be sent from the fond embrace of father and mother.  
 “ . . . This free England, the laws are undoubtedly wrong. If we have to  
 “ go outside the bounds of this constitution. And God only knows where  
 “ the bounds of this constitution is. But in England, by her unjust and cruel  
 “ laws drive the people from their native land; I say the laws are radically  
 “ wrong.

“ My friends, I have trod what is called the outlaw's wild career myself.  
 “ I have been over the broad Atlantic three times. I have seen the people in  
 “ the foreign shore, and thank God, they are not forgetting the old people there.  
 “ I tell the people, if they think by getting out of this country they will  
 “ get out of labour and toil—I don't think they can ever, without capital  
 “ and industry get out of labour. And the stranger only employs a man because  
 “ he can get his labour. Do not build castles in the air. Be practical. You  
 “ can never gain a living in America or Australia without working for it.

“ The resolution asks you to divide the land with the labourers. The  
 “ labourers never asked you to deprive yourselves of your living, neither do you  
 “ strive to deprive the landlord of his living. While the farmer and the labourer  
 “ toiled in a state of misery, the landlords have gone round with their hands  
 “ in their pockets. Well, then, my friends, if the landlords are wrong, that is  
 “ no reason why the farmers should be wrong. Is not the labourer your brother,  
 “ taught at the same school, going to the same chapel? Taught to read the  
 “ history of the same land which you are all ready to die for if necessary. Were  
 “ not you brought up to that system of hostility? Why not share the land  
 “ that does not belong to you? But I know you love the poor. We can give  
 “ the labourer a chance of living in the land. The labourer has always, when-  
 “ ever the sword of liberty has been taken from the scabbard, the labourer has  
 “ always been behind it. Who has given the greatest support to the Land  
 “ League but the labourer? What other class in Ireland can show they never  
 “ flinched when the question of their country was brought forward? Once  
 “ the labourers are driven from this country nationality will fail.

“ Ill fares the land to hastening ills a prey,  
 “ Where wealth accumulates and men decay.

“ And as Father McMahon said, let women endeavour to try and induce  
 “ their husbands to give the labourer a piece of land. Let him bring up his  
 “ children as they ought, clothe them and send them to school. If you do not  
 “ do that you do not deserve the sympathy of those in America. If you do not  
 “ do that, I would advise that they keep their subscriptions in America, and  
 “ give over the farmers of Ireland. This system has deprived you of the chance.  
 “ You should share the land with the labourer. The constitution upon which  
 “ the sun never rests, and God grant that it may never rest, because it would  
 “ be wrong and dangerous to leave it in the dark—if the constitution fails to  
 “ give a portion of the land to the labourer, then I say God send another  
 “ constitution. Another constitution will come and another sun shall rest upon  
 “ us.” (Cheers.)

Then the 24th October 1880, page 6 of the Second day. This is at Brosna. I think the 24th of October 1880 at Brosna has been already read.

(The President.) Yes.

(Sir H. James.) My Lords, that concludes the Galway and Kerry speeches so far as this witness is concerned. Of course, my Lords, I have put in the facts of the meetings being held, and I think there are three speeches at meetings of which he has not got transcripts. He has not been allowed to have them. Then this witness also speaks to certain other counties, Mayo and others. There are not very many speeches, but he does speak to some. He has not had an opportunity of getting the transcript of those speeches, but he can get most of them. We will, therefore, with your Lordships' permission, call another witness with regard to Galway and Kerry. I may say that Sir Charles Russell has said that he preferred not to cross-examine this man until we had finished all the counties. We shall not break the sequence at all by taking Irwin, the next witness, as to the Galway speeches.



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WILLIAM IRWIN.

[Continued.]

WILLIAM IRWIN sworn, examined by Mr. Murphy.

88. Are you a head-constable in the Royal Irish Constabulary?—Yes.

89. Have you been accustomed to write shorthand?—Yes.

90. Did you on the 11th December 1880 attend a meeting at Tynagh in the county of Galway?—Yes.

91. It is not one of the speeches which the Attorney-General opened. Have you got your original notes, and also the transcript of those notes?—Yes.

92. Amongst other speakers was there a Mr. Martin O'Halloran there?—Yes.

93. Was a Mr. Michael Walsh present?—Yes.

94. Will you read me the transcript or hand me the transcript, and I will read it for you, you following the shorthand note as I go along?—Yes.

95. Do you personally know Mr. Martin O'Halloran?—Yes, I know him.

Did you know him as connected with the Land League there?

(Mr. Lockwood.) I submit that cannot be put. I take an objection.

(The President.) You need not be under any apprehension. We entered into a sort of compact that so far as we could you would state what the position of these people was.

(Mr. Lockwood.) Certainly, and so we will.

(The President.) Therefore I was waiting for an opportunity to ask how is Mr. O'Halloran's position to be defined.

(Mr. Lockwood.) I am not aware at present that he had any official connexion with the Land League. If we find otherwise we will apprise your Lordships and my friends of it. In the meantime I hope my friend will not ask leading questions.

(Mr. Murphy.) Is it denied that he was a member of the Land League?

(Mr. Lockwood.) I will inquire.

96. (Mr. Murphy.) "Mr. Martin O'Halloran then came forward and said: I propose, ladies and gentlemen, to second this resolution"—I had better read the resolution first of all. The first resolution appears to be proposed by Mr. — refer to your note, and see who proposed the first resolution. It was Edward Kelly, I think?—Mr. Kelly, yes.

[The document was put in and read, and is as follows.]

"Martin O'Halloran then came forward and said: I propose, ladies and gentlemen, to second that resolution (cheers). I do not want cheering; it is not for cheering I come here, but to help the poor tenants' cause. I am proud, ladies and gentlemen. I came here to help the poor farmers who is long degraded under the heels of landlordism. (A voice: 'To hell with them.') Well, my friends, it is a short time ago, since last August, when I started this agitation in Kiltulla, and Mr. Daly's, the great family, and Peter Blake (voices, 'groans for him;' responded to). Groan him over and over again, and all I have spoken of, and of the flower of all is Walter Peter Lambert, who has his tenants in the lakes of Esker (groans), it is a disgrace, we never saw them at the parish chapel paying their dues (voices: 'because they were not able.') He is coming into the town of Athenry with two of the Royal Irish Constabulary to guard him; and if he slept under the face of heaven no one would touch him. And no matter what you would do then, not one would join the Land League from them properties, all my great Lord Dunsandle's tenants, he would give them Griffith's valuation, 'on account.' I saw last May what they call the Kylwagga people. I saw them taking their horses to sell them to pay the November rent, and last Wednesday I saw the same men coming, and there was a stable and hay and oats for them. Well, in all the stations round of the Royal Irish Constabulary they have stationed extra police, but the police since did not find a case. I tell the Government, I tell the Chief Secretary, and I will bet him 5,000l. that before 24 hours I will disarm the police without a drop of bloodshed (cheers). I only want to show the Government we do not want to do harm. I will disarm the police before 24 hours without one drop of bloodshed, and I will disarm them and mention the hour and the minute (voices, 'we will'; voices, 'cheers for the Kiltulla man,' and cheers). I do not want cheering, cheering be damned. Why not every other county in Ireland have as good a man as O'Halloran in it. Why its a bad county if there is not. You need not buy or sell to these extra police. Tho



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WILLIAM IRWIN.

[Continued.]

“ Government cannot compel you to sell to them. Let them go where  
 “ they are wanting; there is not a shot fired at a landlord yet; but if  
 “ there is a threat to that noble Peter Blake it is from one of his own pet  
 “ rearing, and I doubt, and I would swear to the best of my belief that  
 “ he is innocent. They had no proof but Mr. Blake’s note paper (voices:  
 “ ‘He is innocent’). Now, my friends, the wisp is lit, and to show you the  
 “ difference, the authorities have’nt one handle yet. The authorities thought  
 “ they had a great handle to arrest O’Halloran for restoring the poor widow,  
 “ which was a case of justice, should Mrs. Dempsey give up the land? I ask a  
 “ show of hands if she should keep it. (Here a lot of hands were raised.) I am  
 “ happy, my friends, that in this ancient town there will not be a fight  
 “ to-day. Now, it’s a great blessing on this agitation that a man won’t have a  
 “ black eye or a cut poll going out to-day. And what made the fighting be  
 “ given up? The Irish National Land League. (Cheers.) Well, now, there is  
 “ the tenants of Lord Dunsandle, they have 14,000*l.* or 15,000*l.* what they never had  
 “ before. Lord Dunsandle is the richest man in Galway, and I tell you it would  
 “ take all his money to recover his rent, and he is not going to lose good money  
 “ after bad. (Cheers.) I recollect to see the time Lord Dunsandle had more  
 “ widows on his property than he has tenants now entirely. And if he is beyond  
 “ in the gambling hells of London, spending our money, who keeps him there?  
 “ His rack-rented tenants. (Cheers.) Its too bad for me to come to Tynagh to  
 “ spout against my own landlord, but I can’t help it. After the Loughrea monster  
 “ meeting our proud Colonel Daly, that never saw a general parade, nor was a  
 “ mile from a cow-dung, he came up to his tenants, and said, ‘Were you at  
 “ ‘Loughrea? Did you see Martin O’Halloran there? Did you see Davitt?’  
 “ Well, now, he says you are tired of Davitt and O’Halloran; but I tell Colonel Daly  
 “ that there is more dangerous men than we are (voices: ‘Davitt is home from  
 “ ‘America, thank God.’ (Cheers.) Well, now, my friends, landlordism is shivering,  
 “ it’s not afraid of buckshot. It’s not afraid of you, but they are shaking for what  
 “ you have in your pocket; it’s not in dread of buckshot, for although they  
 “ waited on the Chief Secretary or his devil, that was as good as himself to get  
 “ coercion; but in a very short time, my friends, you will see a new league  
 “ established that will be more heart-breaking to them; it’s a Land League  
 “ that will be a ‘Brotherly Love Bank’; we saw in ’47 how we were treated  
 “ (a voice: ‘Bad luck to it’). I knew a man that was put into the coffin alive  
 “ (a voice: ‘I did too, Martin’). Well, only for the begging box went round, it  
 “ would be as bad now, and you would see that again; is that true? (Voices:  
 “ ‘It is.’) Well, my friends, if it’s not your own fault, the begging box will  
 “ never go round again; if every grass farm outside a gentleman’s demesne  
 “ is divided, if there is no man will go with the land-grabber to shear his  
 “ sheep, you will see a good many coming now, and saying they want money.  
 “ We will give it to our brothers only out of this ‘Brotherly Love Bank.’  
 “ In conclusion, now, my friends, and as I have a severe cold, I won’t say much.  
 “ I know there is rotten branches among you; it’s very easy to make a basket of  
 “ a twig, but if it grows it is hard to weave it. Now, my friends, if a man takes  
 “ land don’t use any threats to him, but put up your hands and bless yourselves,  
 “ don’t injure his cattle, don’t injure his corn, but say, ‘You are an enemy to all  
 “ ‘quarters’ (A voice: ‘He deserves to be quartered.’) You will soon make  
 “ him hate himself and the land he stands on; but don’t touch him, if you do  
 “ you are an enemy (Cheers). And the Chief Secretary for England makes a  
 “ great mistake to send over buckshot and police here where they are not wanted.  
 “ Now, my friends, I hope you will take that advice from a patriotic man, you will  
 “ work it prudently, and if it was not for the great men half the landlords would  
 “ be shot now. (A voice: ‘And they deserve it.’) Don’t summons any man  
 “ before God, he might not be prepared; organisation, health, wealth, and  
 “ prosperity may dwell amongst you. (Cheers.)”

(*The Witness.*) He spoke further on. He came forward again.

97. Was that at the same meeting?—Yes, at the same meeting.

98. I have not got any other extracts?—You will see it in the index in front.



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WILLIAM IRWIN.

[Continued.]

*(Mr. Murphy.)* Yes.

“Mr. O’Halloran again came forward and said:—Ladies and gentlemen, “(‘Long life to you.’) Since I mounted this platform I was told about a land-grabber, and not alone a land-grabber, but he is a herd-grabber. But I suppose he wants to get in on the list of herds, but I can tell you it would be well for him if he was able to stock his own lands. This man had 28 acres, and that would not do him; if there was a man, a poor man on the road, who came and took it, we could not blame him. (A voice—‘That’s true for you Martin.’) But this herding, which was thrown up to Mr. Blake, (A voice—‘Groans for this herd.’ Groans.) This man came and took it, and he could live on 28 acres of land, and the devil send him any more. But labour was very distressing, and he thought that herds had a fine life, but wherever you meet him, I ask you from this day to point at him, and if he doesn’t give it up, there will be an indignation meeting, and some other person will get it. All I know is that he is a damn lazy looking man. (Cheers, and groans for the herd: responded to.)

99. The next of these witnesses was at Craughwell on the 12th November, the next day. Martin O’Halloran spoke. Who else were present at the meeting?—You will see in the index.

The Rev. Timothy Geoghan appears to have been in the chair?

*(The President.)* On the 12th?

*(Mr. Murphy.)* Yes. The Rev. Mr. McPhilpin, Mr. Peter Broderick, Mr. Consodine, John Sweeney, and Martin O’Halloran. I do not know whether any information can be given to you of the position of these gentlemen.

“Mr. Martin O’Halloran, who was received with cheers, came forward and said: Gentlemen, I propose to second Mr. Sweeney’s resolution; the ladies are too far from me, but they will hear me; its late now. I will say only a few words; the work is done already by the eloquent speeches you heard; it is not when you go home to night blessing the landlord you’ll be. (Voices: ‘Cursing the landlords we will be.’) You know how pe passed the years gone by, card playing and gambling. Well, thank God, its gambling ye are now for the Irish National Land League. Be true to yourselves. Landlordism is equal to the bulrush in the river, shaking. (Cheers.) I don’t want cheering. I came here to help your suffering cause, and woe be to the Irishman that’s not helping your cause. A few months ago my friends and they waited on his Excellency the Lord Lieutenant; they made that gentleman believe they were afraid. They were afraid of what was in your pocket; there is a certain property here near you; the tenants on that property has over 14,000%. now. Let the Government of England light the wisp, and we are fit to quench it. But I can tell you, my friends, they are not such damnable fools. (Voices: ‘We have the Army Reserve.’) You heard of Captain Boycott. It was not a priest christened him. It must be the devil. Now, my friends, to please the aristocracy, and to please the landlords, here in Galway, the Chief Secretary granted them extra police. Well, now, my friends, to show the Government of England we don’t want to go to war with them, here now in four and twenty hours, I will disarm all the police in the county Galway to shew his Excellency and the Government of England. I will for a bet of 1,000%. I will name the hour and the minute that I will disarm them, without a drop of bloodshed or one charge of buckshot (cheers). I want no cheering for it, I am doing it for the honour of God, and the suffering and the poor of Ireland. So, my friends, let ye not utter one word to give a handle to the enemy. The battle is already won. Keep your rents in your pocket if he refuses to take what you offer, as we did a few days ago. Here it is my friends these extra police. You can turn round and boycott that station, we don’t want them. Boycott every herdsman outside a gentleman’s demesne. Next summer let the wool fall off the sheep, and now my friends they are giving up these herdings, we will divide the farms. We are going to form another scheme, which you will soon hear of. Now my friends it’s late. Let no herd shear the sheep. Let him set down his crop and he will be helped. It’s late. I wish you health, wealth, and prosperity.”

*(The President.)* This is the same man.

*(Mr. Murphy.)* Yes.



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WILLIAM IRWIN.

[Continued.]

(*The President.*) And it is about the same speech.

(*Mr. Murphy.*) Yes, my Lord, although it is in fact a different speech, "I wish you health, wealth, and prosperity."

(*The President.*) I mean there was some allusion which he appears to repeat.

(*Mr. Murphy.*) There was a resolution, my Lord, but I have not got a copy of that, so I cannot give it.

The Court adjourned till to-morrow morning at half-past ten.

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SPECIAL COMMISSION ACT, 1888.

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ROYAL COURTS OF JUSTICE,  
PROBATE COURT No. 1,  
Wednesday, 31st October 1888.

(*The Attorney-General.*) My Lords, I have to ask your Lordships' permission to interpose a witness who is obliged to leave England. It is Mr. O'Shea. He has in fact remained with difficulty to-day; but I am able to call him this morning. He has to leave for Spain, and I ask your Lordships' permission to call him now.

(*Sir C. Russell.*) My friend was good enough yesterday evening to tell me of his intention to call him, and of course my attention was directed, not for the first time to this question, and I have to tell your Lordships it will be impossible at this stage of the case—I say this with deliberation and after carefully considering the matter with my friend Mr. Asquith—it would be impossible to cross-examine Captain O'Shea, as he must be cross-examined, at this stage of the case. It appears to those whom I represent, therefore, if it is a mere question of Captain O'Shea requiring to go to Spain, he must come back again. Whether my learned friends under those circumstances will think it worth while to proceed with the examination-in-chief, I know not; but I respectfully urge your Lordships not to press me to cross-examine Captain O'Shea to-day. I am referring to matters which have no direct bearing upon his examination-in-chief, as well as to matters which my learned friend adverted to in his opening speech.

(*The Attorney-General.*) All I can say is this, I cannot understand any reason why Mr. O'Shea, who has been subpoenaed by both sides, should not be cross-examined. Whatever course my learned friend may think fit to take, I opened the points upon which I thought Mr. O'Shea's evidence was material, and I propose to give that evidence now, whatever course my learned friend, Sir Charles Russell, thinks fit to take.

(*Sir C. Russell.*) I presume your Lordships would not interfere with my friend's judgment in that matter. The only thing I wish is that Captain O'Shea should be informed that he should be obliged to attend at a later stage of the inquiry.

(*The Attorney-General.*) Pardon me.

(*The President.*) That is Sir Charles's request.

(*The Attorney-General.*) Your Lordship will form a judgment as to whether Mr. O'Shea should be cross-examined or not when you have heard his evidence-in-chief.

(*Sir C. Russell.*) No; emphatically no.

(*The Attorney-General.*) Sir Charles Russell is not the judge of this. I am only submitting respectfully to my Lord—you are giving a judgment in your own case. However, what I respectfully submit is, that it being the case in which Mr. O'Shea has to leave England, any ground for postponing the cross-examination will have to be made in the ordinary way, and you will deal with it when the question arises.

(*Sir C. Russell.*) I have made the application now, and I thought it was convenient to your Lordships, and also to my learned friend, that I should say so at once.

(*The President.*) Mr. Attorney, of course we should act upon that statement; it is desirable to secure for the information of the Commission the evidence of this witness for examination-in-chief; but it is usual, and in this case I should myself be disposed to act upon that which is usual. When counsel says he is not in a position to cross-examine, and requests that the cross-examination may be reserved until he is in that position, it is for you to consider whether with that information and the possibility of our determining it, you will take his examination now.

(*The Attorney-General.*) Yes, I think I should wish to take his examination. I have only one word to add. I trust that when the application is made you will require it to be supported on some ground having regard to what the evidence-in-chief will be, more than the statement of not being prepared. You will remember I told your



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ATTORNEY-GENERAL AND OTHERS.

[Continued.]

Lordships that I intimated to Sir Charles Russell last night that I should call Captain O'Shea this morning, he having to go to Spain.

CAPTAIN WILLIAM HENRY O'SHEA sworn, and examined by the Attorney-General.

100. What is your Christian name?—William Henry.

101. Were you formerly a member of Parliament for county Clare?—Yes.

102. And a magistrate for the county?—Yes.

103. When were you in Parliament?—I was in Parliament as member for Clare from 1880 until 1885—to the dissolution in 1885.

104. You have not been in Parliament since?—Yes, at the dissolution of 1885, I stood for a division of Liverpool and was beaten, and in February 1886 I became member for Galway.

105. Till I suppose the dissolution?—No, I resigned my seat.

106. (*The President.*) When?—I resigned my seat I think it was the 9th of June.

107. (*The Attorney-General.*) From the year 1880 up to the year 1883 and 1884, were you on friendly terms with Mr. Parnell?—Yes.

108. I will put it from 1880 to 1885, though I said 1884?—Yes, until June 1886—May or June 1886.

109. In the early part of 1881 had you frequent private communications with Mr. Parnell upon particular matters?—Yes.

110. And without going into the detail of those, at any rate for the present, did you communicate at Mr. Parnell's request with any official personages?—I communicated at Mr. Parnell's request with Mr. Gladstone in June 1881.

111. Certain matters passed between you and Mr. Gladstone at Mr. Parnell's request in the year 1881?—Yes.

112. Did you know from Mr. Parnell whether the 1881 negotiations were made?

(*Sir C. Russell.*) Do not say "negotiations."

113. (*The Attorney-General.*) I withdraw the word "negotiations," whether the communications were made to you with the knowledge of his other colleagues or not?—No, they were made to me without the knowledge of his other colleagues, according to the information which he gave me.

114. Whom do you mean when you say Mr. Parnell's other colleagues?—My belief is that these negotiations——

(*Sir C. Russell.*) It is not a question of belief.

115. (*The Attorney-General.*) You refer to negotiations being made without the knowledge of his other colleagues, and I wish to know whom you refer to by Mr. Parnell's other colleagues?—I should say I mean by "colleagues" his supporters in and out of Parliament, his political supporters and party.

116. Did you have at that time any communication with Mr. Parnell with reference to Mr. Egan?—No.

117. Did you know at that time from Mr. Parnell whether the communications were known to Mr. Egan or not?—No, I ascertained afterwards that they were not known to him

(*Sir C. Russell.*) We cannot have what he ascertained afterwards.

118. (*The Attorney-General.*) From whom did you afterwards ascertain they were not known to Mr. Egan?—From Mr. Parnell.

119. Did you know Mr. Egan yourself?—No.

120. Did you know in the year 1881 what Mr. Egan was doing or where he was?—I do not remember.

121. When did you learn from Mr. Parnell the 1881 negotiations were not known to Mr. Egan?—After Mr. Gladstone's speech in the House of Commons on the 16th of May 1882.

122. I am anticipating, but I had better take it now. What was it Mr. Parnell said to you which led you to know that the negotiations had been known to Mr. Egan?—Subsequently to the speech to which I refer, Mr. Parnell expressed regret at the awkwardness of Mr. Gladstone in introducing the matter, and said that the knowledge obtained by that speech had very much annoyed Mr. Egan, and I believe others.

123. Did he say who the others were?—No; not to my knowledge.

124. Now the negotiations or communications having taken place in the year 1881, did the matter drop until the beginning of the year 1882, or early in the year 1882?—The matter was brought before the Cabinet in 1881, and rejected.



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WILLIAM HENRY O'SHEA.

[Continued.]

125. (*Sir C. Russell.*) How does this gentleman know that?

126. (*The Attorney General.*) Did the matter drop as far as you were concerned until the early part of 1882?—The matter was rejected and dropped, but I used it in order to recommence the negotiations or communications, in fact in 1882.

127. Now in April 1882 where was Mr. Parnell. I do not mean at any particular date, but was he in Kilmainham?—He was in Kilmainham, yes; but he was released on parole.

128. I am coming to the particular dates. In the early part of that year, up to the time of his release on parole, he was in Kilmainham?—Yes.

129. Who of his particular colleagues or the particular members of his party were also in Kilmainham?—Mr. Dillon, Mr. O'Kelly.

130. Did you know where Mr. Egan was then?—I have no doubt I knew he was in Paris.

131. Now just answer my question, yes or no, if you please. Did you in the early part of 1882 open negotiations or make communications with some members of the Government?—Yes.

132. Were those communications originally made in 1882 without authority—I mean direct authority from Mr. Parnell?—Without any authority from Mr. Parnell whatever, direct or indirect.

133. Now please answer my question, yes or no; did you receive certain communications from certain members of the Government in the course of those communications?—Yes.

134. Did you have any communication from Mr. Parnell until he was released on parole?—No.

135. What day in April was Mr. Parnell released on parole?—I cannot remember the date.

(*Sir C. Russell.*) The 14th, I think.

(*The Attorney-General.*) No, it was earlier.

136. What did you first hear of Mr. Parnell's being out?—Mr. Parnell called upon me, and I saw him.

137. Where were you?—At No. 1, Albert Mansions.

138. Had you any other house?—Yes, at Eltham.

(*Sir C. Russell.*) The exact date was the 10th of April.

139. (*The Attorney-General.*) You had a house at Eltham?—Yes.

140. Were you not well then, or why were you at 1, Albert Mansions?—I had had an attack of gout from which I was recovering. Mr. Parnell went first to Eltham. I was unable to go there, and he came up to me.

141. You mean you know from Mr. Parnell himself that he had been to Eltham?—Yes.

142. Did he come to see you at Albert Mansions?—Yes.

143. Will you tell us what passed at that interview with regard to the communications that you had been making about that time with any representative of the Government?—I mentioned to him what I had done—that I had written.

144. One minute please; that you had done something?—That I had written to Mr. Gladstone. He expressed himself pleased with the fact.

145-6. Do you remember anything else he referred to at that meeting as to any part of the communication to Mr. Gladstone being referred to?—No, because this was just after my communication had opened with Mr. Gladstone, and I promised that as soon as I had the definite answer from Mr. Gladstone that matters went further, that I would communicate with Mr. Parnell in Paris.

147. Do you remember on that occasion anything being said about his release, or about his release being treated in any way?—Yes, we spoke about his release, but it was arranged that that should not be a condition in any way in the matter.

148. Now I think you said you promised him that if you got any answer from Mr. Gladstone, you would communicate with him in Paris?—I did so.

149. Did he leave before you received any answer?—He left London, yes. He dined with me, and went off by the London, Chatham, and Dover that night.

150. Did you, subsequently to his departure, shortly afterwards, receive a reply from Mr. Gladstone?—Yes.

151. Did you receive any letter from Mr. Parnell from Paris?—Yes, he wrote to me from Paris.



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[Continued.]

152. Have you got that?—Yes.

153. Produce it, please.

[The witness produced the letter.]

154. It is the 16th of April 1882:—

“MY DEAR O'SHEA,

Grand Hotel, Boulevard des Capuchins.

“Your letter with enclosure which I now return has duly reached me, and is very interesting. I trust that something may come out of the correspondence, and certainly the prospect looks favourable. You were right to extenuate the difference between a gift and a loan. If you read Lottrell's evidence before the Lords Committee, you will see what I mean. The letter will only benefit the lawyers, who are making far too much out of the land question as it is. I think Tottrell's estimate of the amount requisite very near the mark.”

155. That had reference to some communication?—Yes, with regard to the arrears.

“I can't at all see how the ownership of land in Ireland in the occupation of tenants could ever again fetch the prices of the interval between 1870 and 1877. A permanent settlement is most desirable for every body's sake, and this can only be done by extending the term of repayment; according to my calculations, about 80 millions sterling would enable three-fourths of the tenants, those at or under 30*l.* valuation, to become owners at fairly remunerative prices to the landlord. The larger class of tenants can do well enough with the Land Courts if Healy's clause be fairly mended. I am very much obliged to you for your kind inquiries with regard to my sister, who was very much cut up, but is somewhat better now. My presence here has been a great help to her in every way. I shall be probably returning through London Sunday next, and will look you up if I have time.

“Yours very truly

“Chas. S. Parnell.”

Mr. Parnell had gone to Paris in consequence of the death of his nephew.

156. On receipt of that letter from Mr. Parnell, did you make certain communications—continue making communications with certain members of the Government?—Yes.

157. Did Mr. Parnell return from Paris before you expected him or not?—He returned sooner than he thought he should do at first.

158. On what day did you see him again?—I cannot remember perfectly the day, but I should think it was on the Wednesday.

159. Is that the 19th of April—the 16th of April in Paris, the Sunday, it would probably be the 19th of April, Wednesday; did he telegraph to you that he was coming?—Yes, that he had come.

160. Where to?—To Eltham.

161. Do you know whether any other of Mr. Parnell's immediate followers than those who were in Kilmainham were in London at the time?—Yes.

162. Who?—Parliament was sitting, and a great many were in London.

163. Did you see any of them with Mr. Parnell, or did you see Mr. Parnell alone?—Oh, I saw Mr. Parnell alone; I never had anything to do with anybody except Mr. Parnell in these transactions, broadly speaking, of course.

164. Do you remember on that occasion, that is the Wednesday, any conversation with Mr. Parnell about Mr. Davitt?

(Sir C. Russell.) What date?

(The Attorney-General.) The 19th of April.

I have no doubt there was a conversation with respect to Mr. Davitt, but I cannot remember the dates.

165. Do you remember a conversation—Mr. Parnell being out from Kilmainham, and either going to or returning from Paris—and his saying anything to you about Mr. Davitt in connexion with release?—Yes; I do know we had considerable conversation about it, because I was exceedingly anxious Mr. Davitt should be released, and immediately the negotiations were well through I exerted myself.

166. Tell me what passed between you and Mr. Parnell with reference to Mr. Davitt's release?—At that time nothing more than he spoke about it, and he agreed that if release was to take place, it would be very advantageous indeed that Mr. Davitt should be released. I felt very strongly on the point myself, and spoke to him strongly also.



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[Continued.]

167. Did he say anything about the negotiations in connexion with Mr. Davitt, or any difficulty?—Not at that time, I think.

168. Now do you remember on that occasion—I am referring particularly to the occasion of his seeing you at Eltham previous to his going to Kilmainham again—do you remember his saying anything referring to the release of others of his comrades?—He remained several days before he went to Kilmainham.

169. How many times did you see him?—I saw him constantly; he was stopping with me.

170. Did you have any conversation with him about the release, or proposed release, of others of his colleagues?—Yes; there was an objection to the release of certain of his colleagues, or at least of his party.

171. Just explain what you mean by “there was an objection.” What did he say?—He thought that it would be inexpedient to release a certain prisoner or to release certain prisoners.

172. Why?—Because he did not think that they could be released at that time with advantage to the policy which was being instituted.

173. Do you remember whether on that occasion—I am speaking of the visit to Eltham—he mentioned any names?—Yes, there were names mentioned, which I was to mention to Mr. Chamberlain, and which I did mention to Mr. Chamberlain.

174. As of persons not to be released?—As of persons not to be released, but neither Mr. Chamberlain nor myself approved of it, and it then dropped.

175. Can you tell me the name of any you remember?—Yes, Mr. Brennan.

176. Was Mr. Brennan in Kilmainham at the time?—I rather think he was in another gaol.

177. Did you know what Mr. Brennan was—I mean to say what his occupation had been?—I knew that he was an agitator, but I am not certain that I knew what he was.

178. Did you know he had any connexion with the League?—Yes, I think I must have known that.

179. That he was what; secretary or treasurer, or what?—I do not know; an official.

180. An official of the Land League?—Yes.

181. Now on that occasion—I am speaking of the visit to Eltham—was the question of outrages discussed?—Oh, yes, largely discussed.

182. Was the question of Mr. Parnell's future conduct in connexion with outrages discussed?—Yes.

(*Sir C. Russell.*) You had better not lead.

183. (*The Attorney-General.*) Tell us the substance of what was said between you and Mr. Parnell on that occasion?—I am speaking compendiously of the visit before he went back to Kilmainham, at Eltham. The negotiations were being carried on at the time with the Government, and in the course of those negotiations naturally the question of release turned up, although it is only due to Mr. Parnell to say, he never made it a condition himself, but in the discussion of all these matters the conduct which he should adopt in case—

(*Sir C. Russell.*) It is not what your negotiations with the Government were.

184. (*The Attorney-General.*) Let us quite understand what Mr. Parnell said with reference to his future conduct?—He authorised me to say he would, to his utmost, do what he afterwards wrote in the Kilmainham letter.

185. We have not come to the Kilmainham letter yet. He authorised you to say he would do his utmost to do what?—To put down outrage.

186. Did he refer to payments of rents?—Yes.

187. What did he say he would do with regard to that?—Have the “No-Rent Manifesto” withdrawn.

188. Did he say anything about advising the tenants as to payments of rents?—I take it that that was intended in the withdrawal of the “No-Rent Manifesto.”

189. Do you remember whether he referred at all to intimidation or boycotting?—Yes.

190. What did he say?—He always thought that if the arrears question were settled, with that as a material benefit, and with the endeavours of himself and his friends, that outrage would be put down and boycotting also.



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[Continued.]

191. Now, did you embody the result of your conversation with Mr. Parnell in a written memorandum?—Apparently, but I have very few documents relating to the treaty.

192. I only want the answer; did you at the time embody it in a memorandum?—Yes.

193. Which you handed I think to a member of the Government?—Or which was written out by myself or a member of the Government.

194. (*The President.*) Do you say “or” a member of the Government or “for”?—With, perhaps, I ought to have said.

195. (*The Attorney-General.*) Have you got that? [*The document was handed to the Attorney-General.*] Whose handwriting is that in?—Mr. Chamberlain's.

196. What I want to ask you is, looking at that, did it at any rate truthfully represent the substance of what Mr. Parnell had said to you up to that time?—Yes.

(*The Attorney-General.*) I put that in, my Lord.

(*Sir C. Russell.*) We have no objection.

(*The President.*) You do not object to its being seen.

(*Sir C. Russell.*) No, my Lord, let it be handed up to the officer of the Court: I have not seen it; my friend should have handed it to me.

(*The President.*) Let us keep things regular; will you look at it, Sir Charles?

(*Sir C. Russell.*) If your Lordship pleases.

[*It was handed to Sir C. Russell and was then read by the Secretary as follows.*]

“22nd of April 1882.”

(*Sir C. Russell.*) Is that written in ink or pencil?

(*The Secretary.*) That is written in pencil, on the left-hand top corner.

“72 Princes Gate S.W.

“If the Government announce a satisfactory plan of dealing with arrears, Mr. Parnell will advise all tenants to pay rents, and will denounce outrages and resistance to law, and all process of intimidation, whether by boycotting or in any other way. No plan of dealing with arrears will be satisfactory which does not wipe them off compulsorily by composition. One-third payable by the tenant, one-third by the State, from the church fund or some other public source, and one-third remitted by the landlord, but so that the contribution of the tenant and the State shall not exceed one year's rackrent; the balance, if any, to be remitted by the landlord; arrears to be refined as arrears accruing up to May 1881.”

197. (*The Attorney-General.*) Now, Mr. O'Shea, did you on the 27th of April 1882—only answer the question yes or no, if you please—write a letter to Mr. Chamberlain? Yes.

198. Of which I think you have a copy; you need not trouble to produce it; only answer my question; I think it is written from North Park, Eltham, 23rd of April 1882?—Yes [*the letter was produced*], it is either 22nd or 23rd.

199. In substance, on the question of outrages, payment of rent, boycotting and intimidation, do you remember prior to Mr. Parnell returning to Kilmainham anything more passing between him and you. I am speaking of that period prior to your going to Kilmainham?—I cannot remember anything else.

200. Mr. Parnell went back to Kilmainham—just answer my question yes or no—did you continue the communications which had been commenced before, and continued while Mr. Parnell was in London, after he went back to Kilmainham?—Yes.

201. On the 27th of April 1882 did you consider it desirable to go to Kilmainham to see Mr. Parnell yourself?—Yes.

202. Do you know, from what passed before and while you were out at Kilmainham, whether the fact of your negotiations were known to the other members of Mr. Parnell's party, who were at Kilmainham, or not?

(*Sir C. Russell.*) My Lord, I object to that question. Did he know from what passed before or what passed at Kilmainham, certain facts; that is an inference from a number of facts not stated.

(*The Attorney-General.*) I said what passed with Mr. Parnell.

(*Sir C. Russell.*) Well, did he know from Mr. Parnell?

203. (*The Attorney-General.*) Did you know from Mr. Parnell, either then or afterwards, whether the negotiations between you and him were known to his other colleagues?—His colleagues in Kilmainham?



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[Continued.]

204. Yes, his colleagues in Kilmainham?—When I was in, during my interview in Kilmainham, he told me not.

205. You mean he told you they were not?—Yes.

206. Had anything passed between you and Mr. Parnell prior to your visit to Kilmainham as to your going there?—Yes.

207. What?—Letters.

208. Have you got it—the conversation first—I am not quite sure whether it was a letter or conversation; had anything passed in conversation as to your going to Kilmainham?—I do not remember.

209. Have you a letter, or did you receive any letter, from Mr. Parnell?—Yes, I received a letter.

210. I am on this particular matter with reference to your going to Kilmainham?—Do you want the letter?

211. I want it if you have it there. Will you let me look at it, please. (*The same was handed to the Attorney-General*)?—Yes, this is the letter.

(*Sir C. Russell.*) Let me see it, please.

[*The letter was handed to Sir Charles Russell, and was read by the Secretary as follows*]:—

“ MY DEAR O'SHEA,

“ April 27th.

“ WEDNESDAY'S proceedings were very promising so far as they went. I think it would be well now to wait and see what proposals are made, as any appearance of anxiety on your part might be injurious. The journey to London was very fair and quiet, and I got as far as Holyhead without being recognised. If you come to Ireland, I think you had best not see me, for reasons which I will explain hereafter.

“ Yours very truly

“ Charles S. Parnell.”

212. Do you know what Wednesday's proceedings were?—Yes; on Wednesday there had been a debate in the House on a Bill brought in by one of Mr. Parnell's colleagues.

213. Which colleague; do you remember?—No. I think Mr. Redmond; I am not certain. I am almost certain it was Mr. Redmond.

214. Did you receive a telegram from Mr. Parnell after the receipt of that letter, or about the same time?—Yes.

215. Have you got it there?—Yes, but I do not think I received it until my return from Kilmainham; it came during my absence.

216. That does not come until afterwards; take it back at present. You mean you had left London before it arrived. To clear up this particular matter, did anything pass between you and Mr. Parnell while you were at Kilmainham with reference to what he referred to in his letter, the desirability of not seeing you?—Yes; but arising out of that he told me he should, on my leaving immediately, inform Mr. Dillon and Mr. O'Kelly that someone had been to see him.

217. Anything more?—Not that I remember.

218. I do not want to anticipate your account of the interview, but I do want to know this, whether or not he referred to the reasons which he there mentioned in his letter. I quote from memory, as I had not seen the letter before, “for reasons which I will explain”?—I know what you mean.

219. He says here (*reading from the letter*) “If you come to Ireland I think you had best not see me, for reasons I will explain hereafter. Yours very truly.” Did he refer to those reasons when you met?—As far as I remember upon that, he thought it was injudicious at this time that I should see him at Kilmainham among all the others who were there.

220. Did he mention any particular names, or only the others who were there generally?—Not until the circumstance I have just spoken about.

221. You went over—you had an order, I presume, to see him?—Yes, Mr. Forster gave me an order to see him, in order that it should be clear to the Cabinet that everything was going, in fact, to get the letter or authority from him.

222. And you went to Dublin and went to Kilmainham, I think, in a four-wheeled cab with Captain Barlow?—Yes, the deputy chairman of the Irish Prisons Board.



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[Continued.]

223. I am anticipating a warrant; but was a letter written by you in Kilmainham and signed by Mr. Parnell?—No; it was written by Mr. Parnell, in his handwriting.

224. While you were there?—While I was there.

225. The whole of it written by him?—The whole of it written by him, yes.

226. Before that letter was written, will you tell us what conversation passed between you and Mr. Parnell in Kilmainham, on the subject referred to in the letter afterwards. I refer particularly to the subjects of outrages, intimidation, and payment of rent?—Yes, I explained to him that this was a very important matter for several members of the Cabinet, and that it must be clearly set out, and we had a long conversation, the outcome of which was the letter, in which I think he stated exactly what was wanted.

227. I will read the letter of course presently, but I want to ask you with regard to the conversation first. Did you have only a hurried reference to outrages, or did you have any great amount of conversation?—No, much more than a hurried reference, a very earnest conversation with regard to the No Bent Manifesto and the outrages, and I asked Mr. Parnell besides my official questions, privately, if he were sure he would be able to carry out his guarantee, and with the aid of his colleagues put down boycotting outrages and the No Rent Manifesto. He gave me the assurance, saying that the outrages were largely committed by the sons of tenants in arrears, that the Arrears Bill of course would have a considerable effect upon him, but that he was confident his authority and that of his colleagues was so great that I might assure the Ministry that he felt confident of success.

228. Do you remember whether this particular part of the conversation occurred before or after the letter was written?—I should think before and after.

(*The Attorney-General.*) My Lords, I think that it would be convenient if I try and get the whole conversation before I read the letter, inasmuch as I understand that it was both before and after; therefore I will not attempt to divide it.

229. Do you remember his referring to any particular man or names?—Yes.

230. Who?—We spoke of what ought to be done in case of my success in carrying the negotiations through, upon which his release would, of course, immediately take place; but it is due to Mr. Parnell to say that this question of release was never put forward by him as an absolute condition.

231. I am not referring to his release; I quite understand that. Do you remember his referring to anybody else in connexion with the putting down of outrages?—Yes, we had a long conversation about it, and he was anxious that certain men should be released.

232. Who?—A man called Boyton, and Sheridan.

233. Will you tell me what he said about Sheridan?—He said he had been an organiser in the west, and knew everybody, and that he, Mr. Parnell, believed that if he were to see him that he would be able to use him for the purpose of putting down outrages. Now that I remember, it was not a release in Sheridan's case; there was a warrant out against Sheridan; he was at large.

234. Did Mr. Parnell say anything to you as to anything you were to do or to say with regard to Sheridan?—Yes; I was to repeat that, and I did repeat it to Mr. Forster.

235. Just give it us as a connected statement if you can. What were you to repeat or to say to the Government with regard to Sheridan?—That he had been an organiser for the West of Ireland, and that he had an immense acquaintance in the west; and that he would be a most useful man to use for the purpose of putting down outrages and boycotting, if Mr. Parnell saw him.

236. Did he say anything more as to the necessity of his seeing Sheridan?—Yes; he said he was very anxious to see him—he should be very anxious to see him in case of his release.

237. You mentioned a few minutes ago, before I asked you about Sheridan, Boyton. What did Mr. Parnell say about Boyton?—Very much the same as about Sheridan; but he had been organiser in another district in another province.

238. Did he name the province?—Yes, without being perfectly certain I should say Leinster, but I will not be certain. I am not at all certain with regard to the province that Boyton had been organiser of.

239. In this conversation was Mr. Egan's name mentioned at all?—Yes.



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[Continued.]

240. What did Mr. Parnell say about Mr. Egan?—He said he should be anxious to see him, and that I ought to get Mr. Egan back also.

241. Did he say why you were to get Mr. Egan back, or try to get him back?—I have no doubt in the hope of inducing him to enter—

(*Sir C. Russell.*) No, no.

242. (*The Attorney-General.*) I only want to get to the best of your recollection what Mr. Parnell said about Mr. Egan?—He said he should be anxious to see him, and believed that he would be able to show him the advantage of the policy that was being adopted.

243. Do you remember asking him anything about the three men or the men collectively as to his power over them?

(*Sir C. Russell.*) Which three men?

244. (*The Attorney-General.*) Egan, Sheridan, and Boyton?—Oh, yes.

245. What did you say?—In the course of conversing about this at length, I asked him and he told me several times that he was confident that if he saw them first he would be able to induce them to do what was wanted.

246. Do you remember the actual expression he used when you say "saw them first"—do you remember the actual expression he used?—Yes, I think I do.

247. What was it?—Get first run at them.

248. Had you yourself any knowledge of the working of the Land League?—None whatever, except the general knowledge of the public.

249. I mean as private knowledge?—None whatever.

250. Had you ever been connected with it privately?—Never.

251. Now in the course of this conversation was Mr. Davitt's name referred to?—Yes.

252. What passed at Kilmainham with reference to Mr. Davitt?—The same very much as had passed before he went there.

253. You mean when he was in London?—Of course Mr. Davitt was in a different position to the others, because he was in penal servitude. There was some talk of that making a difference with regard to his release. I spoke to Mr. Parnell about the great efforts I was making for Mr. Davitt's release, and he approved of them, and he said he should like very much to see Mr. Davitt, if released.

254. Do you remember anything being said about when Mr. Davitt should be released when you were at Kilmainham?—Nothing; because nothing had been arranged about any release at that time.

255. Did anything pass on this occasion about Mr. Parnell seeing Mr. Davitt or not?—He was anxious in case of release to see these men first, including Mr. Davitt.

256. You have told us your recollection with regard to these men you have mentioned; did any conversation take place about getting any person out of prison when you were in Kilmainham?

(*Sir C. Russell.*) I really think you ought not to lead to that.

257. (*The Attorney-General.*) You have referred to the same matters before. I am only asking you whether anything further was said about it?—No.

258. That was not referred to again?—No.

259. Did you bring away the letter signed by Mr. Parnell?—Yes.

260. What did you do with it?—I took it the next morning, the Sunday, to Mr. Forster, to his house.

261. Have you got a copy of it?—No; it has been published very often, but I have no copy of it.

262. You have not got the letter itself?—No, the letter was handed to the Cabinet.

(*Sir C. Russell.*) We do not interpose any objection.

(*The President.*) You had better leave out the word "Cabinet," because you ought not to tell us what you know of that.

(*The Witness.*) I mean the Cabinet minister.

(*Sir C. Russell.*) He has begun to fancy himself the Cabinet, I think.

(*The Witness.*) What I meant to say was it was given to Mr. Forster for the purpose of handing it to the Cabinet.

263. (*The Attorney-General.*) As Sir Charles says he does not raise any objection, I can read it; was this letter read by Mr. Parnell on the 15th May in your hearing in the House of Commons?—Yes.

(*The Attorney-General.*) Perhaps my friend will allow me to read the copy.



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[Continued.]

(*Sir C. Russell.*) Certainly. Of course it would be desirable to hand in a copy that it may appear.

(*The Witness.*) It was read with an omission by Mr. Parnell, and afterwards read by me.

(*The Attorney-General.*) I will read the whole letter. The actual print of it as read by Mr. Parnell is to be found in the 269th volume of Hansard, page 672.

(*The President.*) Read by whom?

(*The Attorney-General.*) Read by Mr. Parnell himself. I am reading the copy that has been furnished to me which I propose to hand in, and if it is not correct we will have it corrected; I will read it from Hansard:—

“Kilmainham, 28th April, 1882.

“I was very sorry that you had left Albert Mansions before I reached London from Eltham, as I had wished to tell you that, after our conversation, I had made up my mind that it would be proper for me to put Mr. M'Carthy in possession of the views which I had previously communicated to you. I desire to impress upon you the absolute necessity of a settlement of the arrears question, which will leave no recurring sore connected with it behind, and which will enable us to show the smaller tenantry that they have been treated with justice and some generosity. The proposal you have described to me, as suggested in some quarters, of making a loan over however many years the payment might be spread, should be absolutely rejected, for reasons which I have already fully explained to you. If the arrears question be settled upon the lines indicated by us, I have every confidence—a confidence shared by my colleagues—that the exertions which we should be able to make, strenuously and unremittingly, would be effective in stopping outrages and intimidation of all kinds. As regards permanent legislation of an ameliorating character, I may say that the views which you always shared with me, as to the admission of leaseholders to the fair-rent clauses of the Act, are more confirmed than ever. So long as the flower of the Irish peasantry are kept outside the Act, there cannot be the permanent settlement of the Land Act, which we all so much desire. I should also strongly hope that some compromise might be arrived at this session with regard to the amendment of the tenure clauses of the Land Act. It is unnecessary for me to dwell upon the enormous advantage to be derived from the full extension of the purchase clauses, which now seem practically to have been adopted by all parties. The accomplishment of the programme I have sketched out to you would, in my judgment, be regarded by the country as a practical settlement of the land question, and would, I feel sure, enable us to co-operate cordially for the future with the Liberal Party in forwarding Liberal principles; and I believe that the Government at the end of the session would, from the state of the country, feel themselves thoroughly justified in dispensing with future coercive measures.”

(*The President.*) To whom does that letter purport to be addressed?

(*The Attorney-General.*) That was addressed to Mr. O'Shea. “My dear Mr. O'Shea.”

(*The President.*) The witness says the whole of the letter was not read.

(*The Attorney-General.*) I will put a question on it in a moment to make it quite clear. To make your Lordship's note complete, it is dated from Kilmainham on the 28th April 1882. It was all in Mr. Parnell's handwriting and signed by him, and is addressed to Mr. O'Shea. I will just put the question.

264. When the letter was first read by Mr. Parnell were some words left out?—Yes.

265. Do you remember the words?—Yes, because he read from a copy that I gave him myself. They were the words at the end relating to the support to be given to the Liberal party.

(*The Attorney-General.*) “And would I feel sure enable us to co-operate cordially for the future with the Liberal party in forwarding Liberal principles.”

(*Sir C. Russell.*) Make it clear that Mr. Parnell read what he got a copy of.

(*The Attorney-General.*) I am not suggesting the contrary for a moment. I will ask the question of course.

266. Mr. Parnell read from a copy of a paper which you had given to him. Was that so?—Yes, he did. He read from a paper which I had given to him, I having previously taken out the last sentence. He knew, of course, that I had left it out.



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[Continued.]

267. However in the letter signed by Mr. Parnell the words were, "would, I feel sure, enable us to co-operate cordially for the future with the Liberal Party in forwarding Liberal principles"?—Yes.

(*Sir C. Russell.*) That is not so; there is a great deal more than that.

(*The Attorney-General.*) Excuse me, I have the letter here as read and the words which are left out. It will be found I am correct.

(*The President.*) Just to follow it, you read the words which are said to have been left out.

(*The Attorney-General.*) I read the words of the original letter. They both appear in Hansard. I will put the question.

268. A few minutes after, was the omission challenged or referred to?—The omission was challenged by Mr. Forster.

269. And within a few minutes, practically on the same page of Hansard, was the passage read as it originally existed?—I read the whole letter.

(*The Attorney-General.*) That is why I was able to read the corrected copy from Hansard. I am afraid I must go back to one matter which escaped my recollection.

270. Do you remember Mr. Parnell mentioning any names as to persons to whom he would, after your departure, make a communication?—Yes, he said he would make a communication to Mr. Dillon and Mr. O'Kelly. He said he would make a communication to Mr. Dillon and Mr. O'Kelly, and let them know as much as was good for them.

271. Do you remember any other reference made to his fellow prisoners at that time?—No.

272. With reference to the names that you have mentioned, the conduct to be pursued towards those individuals, did Mr. Parnell repeat that more than once to you?—Which individuals?

273. Sheridan, Boyton, and Egan. Do you remember, when you were leaving, his saying anything?—Yes, I always contended that it was at the end. He spoke to me about Sheridan at the end of the interview.

274. Now you came back to London and you gave the letter to Mr. Forster, I understand, on the 30th?—On the Sunday morning, I think the 30th; the Sunday morning.

275. Did you continue negotiations or communications on the basis of what had passed between you and Mr. Parnell after your return to London?—Yes.

276. Now you remember it being determined to release some of the prisoners, Mr. Parnell, Mr. Dillon, and Mr. O'Kelly among others?—Yes.

277. They were released, I think, on the night of Tuesday, the 2nd May. Is that correct?—Yes.

278. Now had you made any communication, or had any communication between your interview at Kilmainham, and Saturday, the 6th, with regard to Mr. Davitt's release?—Yes.

279. Who from?—Mr. Parnell spoke to me on the subject.

280. Do you mean at Kilmainham?—No, I thought you said afterwards.

281. I want to know please, when?—When he returned to London.

282. How soon after?—Immediately after.

283. I had better take that clearly, if you please. I think that is the Thursday morning, but I do not want to lead you as to the date. I do not know whether it is material. Do you remember what day of the week it was?—I cannot remember the day of the week.

284. It was as soon as Mr. Parnell returned to London?—It was as soon as Mr. Parnell returned to London, yes.

285. Now what did he say to you when he returned to London? Did he come and see you?—Yes. I told him that Mr. Davitt was to be released, and he said to me that it would be inexpedient that he should be released until he saw him, and asked me to see the proper authority on the subject.

286. As to what?—As to his release being deferred until he, Mr. Parnell, should be able to go down and see Mr. Davitt first.

287. Did you do so?—Yes.

288. I had better perhaps complete the interview before I go to that though. Did Mr. Parnell on the same occasion of his coming to you say anything further to you about Sheridan?—Yes, he asked me to speak about Sheridan at the same time that I was to speak about Davitt.



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289. What did he ask you to see to or to do?—About Sheridan?
290. Yes?—To get the warrant which was out against him cancelled.
291. The two matters Mr. Parnell spoke to you about when he came and saw you after his return from Ireland were deferring the release of Davitt till he had seen him, and the withdrawal of the warrant against Sheridan?—That is so.
292. Do you remember whether he referred to anything more of importance?—I cannot remember now.
293. Only answer my question, yes or no, if you please. Did you make a communication to the authorities as to Mr. Davitt's release being delayed?—Yes.
294. Do you remember the date that was fixed?—The date that I went to make the—
295. No, the date which was fixed which Davitt's release was to be deferred until?—Yes, until the Saturday.
296. The 6th?—The 6th.
297. Did you communicate to Mr. Parnell the result of your interview with the authorities?—Yes, on that point with respect to Mr. Davitt and to Mr. Sheridan.
298. Did Mr. Parnell go down to Portland; do you know that?—Yes.
299. With whom?—I think with Mr. Dillon.
300. On the morning of Saturday, the 6th?—Yes.
301. Did you see Mr. Parnell again after the time he came to see you, which was immediately after his returning to London, until the Sunday morning?—I certainly saw him after I had been to the Home Office.
302. Did anything else pass of importance between you and Mr. Parnell prior to the Phoenix Park murders on the occasion of those interviews before he went to Portland?—I do not remember.
303. At what time on the Sunday morning did Mr. Parnell come to you?—He came to me early. I do not remember the hour, but early.
304. Where?—At No. 1, Albert Mansions.
305. Now I do not want to go into any conversation upon any question which is not material, but do you remember on that morning or on that day a manifesto being referred to?—Yes.
306. How many interviews had you with Mr. Parnell on that day?—Several.
307. Did you go to see Mr. Hamilton at Mr. Parnell's request?—Yes, I went to see Mr. Hamilton.
308. I think he was secretary to Mr. Gladstone?—Yes.
309. Do you remember about what time in the day it was that Mr. Parnell said anything to you about a manifesto?—I cannot remember when he spoke to me about it first.
310. Do you remember his saying who he had seen?—Yes, he told me all about the manifesto.
311. Just tell us what he said, if you please?—He told me that the manifesto had been drawn up. I do not know whether I saw it before he showed it to me at Mr. Chamberlain's house.
312. He showed it to you at Mr. Chamberlain's house?—Yes.
313. About what time in the day?—That was in the afternoon. He told me it had been drawn up.
314. Did he tell you who it had been drawn up by?—Yes; he told me it had been drawn up by Mr. Davitt. He stated that there was a mistake in saying I thought Mr. Parnell was not in favour of the manifesto; he was very much in favour of a manifesto. He said he disliked signing so bombastic a document, but it was necessary to pander to Mr. Davitt's vanity, and allow him to draft it; but he did not object to a manifesto.
315. It was the English of it?—Yes.
316. The bombast of the document he objected to?—Yes.
317. Do you remember on that day, or on one of the occasions of your being with Mr. Parnell, his saying anything to you about himself?—Yes, he spoke of the danger in which he was.
318. Where was that?—That was in a cab, on the way back from Mr. Chamberlain's house.
319. Do you remember what he said, or how he put it?—Yes; he said that he was in personal danger, and asked me to get police protection for him.



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320. Did you do anything for him?—Yes; when I returned to Albert Mansions I found that there was a request that I should go to Sir William Harcourt immediately; and I went.

321. I only want to get the facts from you, please. Did you make a communication to Sir William Harcourt with reference to the police protection?—Yes.

322. Do you know whether it was granted?—Yes.

323. Was anybody present besides Sir William Harcourt at the time you made that request?—I do not remember. I rather believe his son was present, but I do not remember.

324. Now, just answer my question, yes or no, Mr. O'Shea. Was a communication made to you by Sir William Harcourt on the same day with reference to the withdrawal of Sheridan's warrant?—Yes; that is what he sent for me for. He told me——

325. You must not tell me what he told you. Just answer the question, yes or no, because I know or am supposed to know what you can say and what you cannot; and therefore I will try and keep you straight. Did you have an interview with Mr. Parnell afterwards?—Yes.

326. Did you say anything to Mr. Parnell about the Sheridan difficulty?—Yes.

327. What did you say?—I told him that I had been informed that Sheridan, whose warrant was cancelled at my request on the previous Thursday, was a murderer and a concocter of murder; that the police had informed the Home Secretary of the fact and that he could not be allowed to remain in the country without arrest; that I begged, having been the cause of his warrant being cancelled and supposing that he had returned, I requested that at least he should be given a short law, but that he must be communicated with immediately. Mr. Parnell told me he did not know how to communicate with him directly, but knew a person who could do so, and he went for the purpose of seeing that person.

328. Did he say who it was or mention the name?—No.

329. He went away for the purpose of seeing that person?—Yes.

330. How long was he gone?—He was gone some time. If I remember right I waited for him at Charing Cross Station.

331. What did he say when he came back?—He said he thought it was all right.

332. Did you learn from Mr. Parnell at that time who was the person whom he had seen who could communicate with him?—I do not remember. I do not think so.

333. Will you look, if you please, at that signature [*handing a document to witness*]. Look at the signature on this letter, this paper dated 15th May 1882. You see the signature?

(*Sir C. Russell.*) That is the Phoenix Park letter, is not it?

(*The Attorney-General.*) It is the one which was published.

(*Sir C. Russell.*) I mean the fac-simile?

334. (*The Attorney-General.*) It is the letter which was published?—Well, I know nothing about signatures; I am not an expert.

335. I am not saying you are an expert in handwriting. Whose signature do you believe that to be, the signature?—I believe it is Mr. Parnell's handwriting.

336. (*Sir C. Russell.*) You believe it to be in Mr. Parnell's writing, the signature?—The signature, not the letter.

337. (*The Attorney-General.*) Will you look, if you please, at the two letters dated the 16th June. Look at the signature to those. Whose do you believe it to be?—I believe it to be Mr. Parnell's signature.

338. Will you just tell me did the occurrence of the Phoenix Park murders appear to affect Mr. Parnell's health?—Yes, I think it did; it certainly affected his spirits very much.

339. Do not answer the question unless you feel competent to express an opinion; but what was his condition with regard to nerves and health during the time you saw him, during the succeeding month or five weeks?—No, I can only generally say that he was evidently very much depressed by the terrible disaster.

340. Will you please look at the document dated the 9th January 1882.

[*Document handed to witness.*]

(*The President.*) I do not carry in my mind the two letters of the 16th June.

(*The Attorney-General.*) Yes, I read them.



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(*The President.*) I say, I do not carry them in my mind. I want just to identify them.

(*The Attorney-General.*) Will your Lordship look at them?

(*The President.*) Yes. Let me look at them.

[*The letters were handed to the learned President.*]

(*The Attorney-General.*) Your Lordship has not had the 15th May one handed up to you.

(*Sir C. Russell.*) Will you let me have the one of the 9th January?

(*The Attorney-General.*) You shall in a moment; the witness has not dealt with it.

(*The President.*) That I had not seen.

341. (*The Attorney-General.*) Will you look, if you please, at the signature to the letter dated, if I remember right, the 9th January 1882. Whose signature do you believe that to be?—I believe it to be Mr. Parnell's.

342. I will just put three other documents before you. Just look at the three other documents. Just look at the signatures to them.

(*The President.*) Do those include the one of the 9th January.

(*The Attorney-General.*) No; the 9th January Sir Charles Russell has.

(*The President.*) You will let me look at it?

(*Sir C. Russell.*) Yes, my Lord; if your Lordship pleases.

[*The document was handed to the President.*]

343. (*The Attorney-General.*) Just look at these three documents. The only dates, my Lord, are "Tuesdays." They are not important except with reference to handwriting. Just look at those signatures, and tell me whose you believe them to be?—I believe them to be Mr. Parnell's.

(*The Attorney-General.*) They had better be marked in some way to identify those.

(*The President.*) I understand they are only for the purpose of handwriting.

(*The Attorney-General.*) No; those are the seven which Mr. O'Shea has seen. [*The letters were marked O 5, O 6 O 7.*]

344. Where are you now engaged? In what business or at what place?—I am not engaged in business anywhere; but am engaged on business in Madrid.

345. Are you obliged to leave England?—Yes; it would be a very great inconvenience if I am not allowed to leave England. I came back for the purpose of attending the Commission, and I should be glad to be relieved.

346. You mean to say it is pressing. Your business is pressing?—Yes; it is of great importance.

(*Sir C. Russell.*) My Lord, this latter part of the evidence has come upon me quite by surprise.

(*The President.*) Which part?

(*Sir C. Russell.*) I mean the opinion of this gentleman being asked as to the handwriting of the letters. It is a part of the case I did not at all expect my friend was going into, and I will say now if my friend finds it convenient to go into his whole case as to the letters which he has now touched upon, I believe it will be possible in a day or two for me to cross-examine Captain O'Shea. That would probably save Captain O'Shea the trouble of coming back here again.

(*The President.*) Then I understand your application has only reference to his evidence regarding handwriting.

(*Sir C. Russell.*) No, my Lord, it has not indeed.

(*The President.*) I understood you asked it because you did not know the handwriting was going to be dealt with.

(*Sir C. Russell.*) All I meant to convey was that, if they are going fully into that part of their case now I should not consider it necessary to ask Captain O'Shea to come back again, having the opportunity of cross-examining him in connexion with that part of the case.

(*The Attorney-General.*) My Lord, might I be allowed to make one observation with reference to this application. Anything that your Lordship feels is supported by any show of reason in the matter of course I should not for one moment wish to be heard in opposition to. On the other hand, I respectfully submit to your Lordship that to postpone the cross-examination of a witness without some ground being shown is not the usual course, and I would ask your Lordship, inasmuch as the whole statement I have made in regard to Mr. O'Shea's evidence was made, as your Lordship knows, on either Tuesday or Wednesday in last week. I respectfully submit to your Lordship



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that no ground is shown for postponing the cross-examination. That is all my point.

(*Sir C. Russell.*) My Lord, I have not made the application to your Lordship idly and without a sense of responsibility in making it.

(*The President.*) I think it right to state that, so far as the examination-in-chief has proceeded, we are unable to see any reason why the cross-examination should be postponed; but upon a matter of this kind we are obliged, and we are usually justified in relying upon statements made by counsel. If Sir Charles Russell says, therefore, on his own responsibility that he is not in a position to cross-examine I yield upon that on the ground that he makes that representation.

(*Sir C. Russell.*) Certainly I do.

(*The President.*) Very well. But it is right that I should point out that if from any unforeseen cause we should not have the advantage of this witness's presence, his evidence must be taken as having passed without cross-examination.

(*Sir C. Russell.*) My Lord, there can be no question or difficulty about having this gentleman's presence, unless for some cause which is beyond human control, because this gentleman lives in London, and has his permanent residence in London.

(*The President.*) It is not necessary to enter into any discussion upon that point. I have stated the view of the Court.

(*Sir C. Russell.*) My Lord, I only wish to have one clear understanding. Am I to understand that the power of the Court will be exercised to compel the attendance of Captain O'Shea here at a later stage.

(*The President.*) I shall, of course, exercise the power of the Court to compel the attendance of any witness whose evidence we think necessary. I shall not go beyond what I have said, Sir Charles, that if, from any unforeseen cause, his attendance cannot be procured, that his evidence which he has already given must be taken as it stands.

(*Sir C. Russell.*) Clearly, my Lord. But I wish to know clearly from the Court, because, of course, then my friends and myself will have to reconsider our course. I hope I am not unduly pressing the Court. I think I am not, I feel I am not, in asking your Lordship for the assurance that the ordinary powers of the Court would be used to enforce the attendance, if it were necessary to use them, of Captain O'Shea at a later stage.

(*The President.*) I have already said so. The Court will exercise its power to get any witness before them. That is all I can say.

(*The Witness.*) My Lord, may I myself say a word on this subject?

347. (*The President.*) With reference to your attendance?—Yes.

348. Yes; what is it you desire to say?—What I should like to ask would be that no unreasonable time—no unreasonable delay—should take place, because it is very hard indeed if I should be kept here.

349. (*The President.*) You may be perfectly sure we will endeavour to consult your convenience?—Thank you.

(*Sir C. Russell.*) I did already make a proposition, which I thought might have been considered by my friend. I am not aware that he has adverted to it. He has given some evidence upon the question of the genuineness of the handwriting.

(*The President.*) But, Sir Charles, I cannot help pointing out when you say that took you by surprise that your application with regard to the cross-examination was made before that evidence was given.

(*Sir C. Russell.*) I quite agree. It had nothing to do with the question.

(*The President.*) Then I do not see why because some fresh matter has been introduced that you would be the better able to cross-examine in two or three days.

(*Sir C. Russell.*) No, my Lord, except that if the whole case of the letters is gone into, then I can, according to my instructions, properly cross-examine Captain O'Shea.

(*The President.*) In that case you will prepare yourself in two or three days to cross-examine him generally.

(*Sir C. Russell.*) Yes.

(*The President.*) Then all I can say is, I think you ought to prepare yourself in two or three days to cross-examine with reference to that matter.

(*Sir C. Russell.*) No—with deference—if I could convey to your Lordship my position, you would see that is not so.



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(*The President.*) I can only speak from what is before me at present. I daresay you will satisfy me if it is an erroneous impression.

(*Sir C. Russell.*) Perhaps my friend will now state when he proposes to go into that part of his case: then we can arrange for a day for Captain O'Shea's attendance.

(*The Attorney-General.*) This is not a question for me to make any statement of the kind. I have to lay before your Lordship the evidence, as far as I can, in the proper order. As a matter of fact, I applied to your Lordship to be allowed to take this witness out of the proper order, because he was obliged to leave England. Thereupon is made the statement that my friend is not prepared to cross-examine him. Having had last night's notice it is out of all reason to ask me to come to some bargain or arrangement with regard to the conduct of the case.

(*Sir C. Russell.*) I am not bargaining; I am asking you to remove any difficulty?

350. (*The President.*) Then it stands thus. (*To the witness.*) Mr. O'Shea, when do you propose to leave the country?—Well, that depends on your Lordship now. I did propose to leave the country to-morrow; to go to Spain to-morrow.

351. When do you propose to return; when, in the course of your business, do you expect to be able to return?—I must return when your Lordship wishes. I must make everything subservient to that.

352. I am now asking you with reference to your own convenience?—Well, of course, the sooner the better. I should prefer myself, I think it is only fair to me that no great delay should take place, and I would prefer waiting here.

(*The President.*) It appears to me, Sir Charles, that you should endeavour to prepare yourself within a few days for the cross-examination of this witness.

(*Sir C. Russell.*) My Lord, I shall be in the same position practically upon one main and important point then as now, unless my friend will do as I have suggested.

(*The President.*) I must remind you that you have told me that if the handwriting question is gone into you will be prepared to cross-examine.

(*Sir C. Russell.*) Your Lordship does not appreciate the position. It is not the question of handwriting.

(*The President.*) I accept that statement. You have something in reserve which you do not feel at present able to state.

(*Sir C. Russell.*) I do not say what I have in reserve at all. I am only informed and instructed. I cannot properly cross-examine.

(*The President.*) I can do no more than repeat what I have said. I shall, of course, call upon Mr. O'Shea to return if it appears to us necessary for us to do so. I repeat what I have said also on the other point. If from any accident whatever he is not here when we desire his presence we shall then deal with it.

(*Sir C. Russell.*) Does your Lordship say it is to be a matter in your Lordship's discretion whether he is to return or not?

(*The President.*) Certainly.

(*Sir C. Russell.*) Then, my Lord, I must with every disadvantage go on.

#### Cross-examined by Sir C. Russell.

353. Mr. O'Shea, when were you first applied to by "The Times" to give evidence in this case?—On the 3rd of August.

354. What is the paper you are reading?—An extract from my diary.

355. Let me see it?—It is at your service.

[*It was passed to the learned counsel.*]

356. Was that by letter?—Indirectly. I was asked if I should have any objection to give information to "The Times" on the 3rd of August.

357. By whom were you asked?—The letter was written by Mr. Buckle, the editor of "The Times."

358. Have you got it?—No, it was not to me.

359. To whom?—To Mr. Chamberlain.

360. Did Mr. Chamberlain see you?—Yes, not purposely; not on the matter, because it was only in conversation that it came out. I do not think he would have asked to see me if it had not been that I had gone there on business.

361. Where?—To his house.



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362. What business?—The attack made on me and himself on the 30th of July by Mr. Parnell in the House of Commons.

363. What was the date of that attack?—I think the 31st of July.

364. Of the present year?—Of the present year, yes.

365. And you went to consult, as I understand, Mr. Chamberlain as to what steps you and he ought to take?—Yes, to talk matters over.

366. Well, was that the object?—Yes, certainly. Oh, besides I had been abroad and went to call on him, as I generally do very often.

367. And to consider whether you ought to make some answer in the public press or he ought to make an answer in the House of Commons?—No, I had made an answer in the public press previously. It was on the 2nd of August my letter appeared in "The Times" in answer to Mr. Parnell.

368. It was on the question, then, of this attack by Mr. Parnell upon you. This attack which you alleged Mr. Parnell made upon you and Mr. Chamberlain, that Mr. Chamberlain introduced the subject of Mr. Buckle's letter?—Not so. I went there, and we spoke about the matter, and in the course of the conversation he told me he had had a note from Mr. Buckle on the subject, but as he had already told Mr. Morley when he spoke about it that I would have nothing to do with the matter, he scarcely thought it worth while to show me the letter.

369. Did he show you the letter?—I am not quite sure that he did.

370. Will you swear he did not?—I will not swear he did not.

371. Did he show you the letter?—I say I am not quite certain whether he showed it me.

372. Did he show it you?—Yes; he certainly showed me the letter. Whether he showed it to me to read or not, I do not know.

373. Very well; what was in the letter?—The letter was asking whether I should be likely—whether he thought I should mind seeing him on the matter of this case—for this Commission.

374. What date do you give for that?—The first days of August. I should think the 3rd.

375. Was it with reference to this Commission or *O'Donnell v. Walter*?—Oh, in reference to this Commission. Why *O'Donnell v. Walter* had been over a long time by then.

376. Very well, I forgot the date. You did not then agree, did you, to give evidence?—No.

377. When did you agree?—After I was subpoenaed by Mr. Parnell.

378. When were you subpoenaed by Mr. Parnell?—[After referring to a paper] I was subpoenaed by Mr. Parnell on Thursday, the 23rd of August.

379. Then did you see Mr. Chamberlain after that?—No; Mr. Chamberlain left town.

380. Did you communicate with him?—Certainly.

381. You professed your readiness to give evidence?—To whom?

382. Did you; I am putting the question interrogatively?—To whom?

383. To anybody?—On the 24th, Friday, I finally said I would do so; that is, to explain the Kilmainham Treaty, in order to have the advantage of being called early; in order to refute the slanders which had been circulated about me by Mr. Parnell and his friends with regard to these letters.

384. Then you volunteered, in point of fact, to give your evidence in order to have an opportunity of refuting the slanders?—Just so.

385. As a matter of personal concern to yourself?—Of very great personal concern to myself.

386. To whom did you make that communication?—To Mr. Buckle.

387. Direct?—No.

388. Through whom?—Mr. Houston.

389. That is a name your Lordship, I think, has not heard before. Who is Mr. Houston? He is a journalist.

390. A journalist connected with what paper?—I do not know.

391. Where does he live?—In Cerk Street.

392. London?—London.

393. Do you know his initials?—E.

394. Is it E. C. Houston, do you recollect?—I think so,



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395. Is he the secretary to the Loyal and Patriotic Union?—I do not know.

396. Have you heard so?—No, I do not know that I have heard so. I do not know that I have heard he is secretary to the Loyal and Patriotic Union. I have an idea that that he is, but I do not know it. I have no certainty of it.

397. You have no certainty of it, but you believe he is the secretary of the Loyal and Patriotic Union?—Yes.

398. That is a Union principally supported by a combination of Irish landlords. I will not call it a Land League, but something of that nature?—Really I do not know anything at all about it. I have seen pamphlets of theirs, but I do not know how it is supported; I do not know how it is subscribed to; I never subscribed to it myself.

399. No, I do not accuse you of doing so. How did you come to communicate with Mr. Houston?—Mr. Houston called on me on Sunday, the 12th of August.

400. You are speaking of the present year?—Certainly.

401. Was that your first acquaintance with him?—No, I had known him before slightly.

402. Did he tell you his connexion with the matter?—No.

403. Did you ask him?—Do you mean his connexion with this matter?

404. Yes?—I thought you meant the Loyal and Patriotic. Yes, he told me that he was very anxious that I should give the political part of the question to him or to Mr. Buckle. I looked upon him as Mr. Buckle in the matter.

405. But did he tell you his connexion with "The Times"?—Do you mean whether he is a contributor?

406. How he came to speak to you in the matter?—No, he did not.

407. Did you ask him?—Yes, he told me he called for Mr. Buckle.

408. What?—That he called on behalf of Mr. Buckle.

409. Did you not ask him in what character or capacity?—No, I did not require to do so. I knew he was evidently interested in the case of "The Times," and treated him accordingly.

410. Did you ask him whether he had anything to do with the original publications?—No, certainly not. I did not.

411. Or with the letters?—I did not.

412. Have you seen Mr. Houston often?—Yes, I have seen him several times since my return here, which was last week. I returned to London last week, yesterday week I think it was, or Sunday week, and I have seen him several times since.

413. In reference to this matter?—In reference to this matter, yes.

414. Did you give statements to him of your evidence?—I gave a statement. It was he who took down a statement of my evidence for Mr. Buckle.

415. Was that taken down at one interview or at several?—Oh, I think it was taken down at one interview.

416. Give me the date, please, of that particularly?—I think it was the day on which I asked. "The Times" to subpoena me; that was on the 24th.

417. Of August?—The 24th of August last.

418. And you gave your statement then to Mr. Houston, which Mr. Houston took down in writing, I presume?—In shorthand.

419. Did you talk the case over at all with Mr. Houston?—Yes, in a casual way.

420. Did he produce the letters to you?—No.

421. Or speak to you about the letters?—I do not know whether he—I should think he must have spoken about the letters; but he did not produce them.

422. Did he speak about the letters more than once?—I have no doubt he did.

423. Did he tell you what part he had had to do with the letters?—No.

424. Did you ask him how the letters had been obtained?—Yes; he told me it was a secret of State—"Be off"—saying it was a secret of State.

425. You asked him how the letters had been obtained, and he said it was a secret of State?—Yes. Oh, I now remember if you wish me to go back to give a full answer to a question. You asked me if he told me anything about the letters. He repeated what I had heard in other directions, namely, that Mr. Parnell and his friends had stated that I was engaged in a conspiracy to get these letters; in fact that it was through my instrumentality altogether, or in part, that these letters were got, and as I never stab a man in the back I was very anxious to come here and declare on my oath that it was not.



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426. Then he told you that there was a rumour about you, did he?—Yes; but not only he but others.

427. When did he tell you that?—I cannot fix any date for it. I should think we spoke of it several times.

428. Did you speak of that, do you think, at the first interview?—I told him that I knew that this report or slander had been circulated and was being circulated.

429. My question was, did you tell him that, or did you refer to that at the first interview you had with him?—I think most probably.

430. Did you learn from him whether "The Times" had got the letters all in one batch, or at one time, or separately?—No.

431. Did you ask him?—No.

432. When did you hear this injurious rumour about yourself first?—I had been abroad, and came back towards the end of July; and I heard it spoken about then; but I heard it first for an absolute certainty on the 1st of August, because Mr. Chamberlain told me that Mr. John Morley had informed him of it.

433. On what day in August?—The 1st of August.

434. Mr. John Morley had told Mr. Chamberlain what? Just tell us definitely, please, what you understood?—That Mr. Parnell believed that I had had something to do with procuring the letters, the letter at least, what is generally called the "facsimile letter" in "The Times." I do not wish to be, I am not perfectly certain whether that is the 1st, 2nd, or 3rd of August; but you may take it as one of the very first days of August.

435. Whom else have you seen from "The Times" in addition to Mr. Houston?—Do you mean within the last—

436. I mean since this question arose?—I met Mr. Buckle at dinner.

437. Where?—At a hotel.

438. Where?—In London,

439. Where?—I am looking for it. "Wednesday, the 22nd, at Privatelli's Hotel."

440. Wednesday, 22nd of what?—Of August.

441. Who were there?—Sir Rowland Blennerhassett.

442. Who else?—Nobody else.

443. Sir Rowland Blennerhassett, you, and Mr. Buckle?—Yes.

444. Were you the host or a guest?—I was a guest.

445. Who was the host?—Sir Rowland.

446. Sir Rowland was formerly a Member of Parliament for Kerry, I think?—Yes.

448. And a member of Mr. Butt's Home Rule Party?—Yes.

448. He has not been in Parliament, I think, since?—Since 1885, I think.

449. Did you discuss at all on that occasion where these letters had come from?—No.

450. Not at all?—I do not remember that they were mentioned; but, if so, there was no discussion respecting them of any importance.

451. Do you know the name of Piggott?—I know the name of Piggott, yes.

452. What are the initials or the Christian name?—I do not know.

453. Do you know the person I allude to?—I suppose you allude to the former editor of a newspaper in Dublin.

454. Quite right. What is his name?—I do not know.

455. Richard, I am told?—Yes, I think it is; but I do not know.

456. Did you hear his name mentioned in connexion with these letters by Mr. Houston?—Yes.

457. Did you learn from Mr. Houston that he, Mr. Houston had obtained them from Piggott?—No, certainly not; but what I heard was it was said that I had entered into some combination or conspiracy to get these letters.

458. With Piggott?—No. That is what I am not quite certain of. I think that Piggott was one of those who were named to me, but I am not quite certain about it.

459. What did he say about Piggott?—I do not remember anything particular that he said except what I have just told you.

460. Oh, yes, please. What did he say about Piggott in relation to the letters?—He said if he mentioned Piggott's name, which I am not certain of, that the report spread about was that I was connected with some men of whom Piggott was one (if I remember right, but I do not wish to state that positively) to obtain these letters.

461. Any other name besides Piggott's, do you recollect?—Yes.



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462. Who?—Mr. Philip Callan whom I have not spoken to for four years.
463. Who mentioned that last gentleman's name. Houston?—Yes, I think so.
464. He mentioned that last gentleman's name—Houston?—Yes, I believe so.
465. Did he say anything *pro* or *con* as to Piggott's connexion with the matter?—Not that I remember, except in that way—if he was one of those, Mr. Philip Callan, and a person whose name I forget—I do not know whether I heard it before. I cannot say whether he was one of them.
466. A fourth person you do not remember?—I am not quite sure whether this name was mentioned; it is possible it was, knowing nothing about this letter.
467. Then I understand the suggestion, more or less vaguely made, was, that they were reminding you and Piggott and these three persons not mentioned what Mr. Piggott and Mr. Callan had to do with them?—Wait a bit. You are going too far with the name of Piggott. I do not know. I have told you several times I do not remember that Piggott's name was mentioned as being one of the confederates who got the letter. It may have been, but I am not quite certain whether it was or not.
468. You personally do not know Mr. Piggott?—To the best of my belief I have never seen him. I certainly do not know him.
469. And the other gentlemen you have not spoken to for several years?—I have not spoken to Mr. Philip Callan for five or six years.
470. Did Houston tell you he had taken Mr. Piggott to the "Times" solicitor?—No.
471. Do you know that he did?—No.
472. Then did you say that so far as Houston communicated to you with reference to that letter it was nothing more than you have told us?—Nothing more.
473. He made no statement of the origin of these letters?—No.
474. Or who was the medium for bringing it?—No.
475. What?—No.
476. I am not referring to any particular date, but at any time?—You are asking me now if he told me who was the medium.
477. At any time?—No, I do not know anything about them.
478. Or make any statement on the subject of who brought the letters to the "Times"?—No, I am sure he did not.
479. At any time?—I am sure he did not. To the best of my belief he did not. I am as certain as I can be of anything.
480. You are quite clear he did not?—Quite clear.
481. Do you know who brought them?—No, I know nothing at all about who brought the letters.
482. Or have not been told who brought them?—No.
483. Now having had this dinner, was that before or after the date of making your statement to Houston?—It was before I made the statement, because on the 15th, the Wednesday previous, I told Houston, who came to see me again. I met him—I told him I might tell Buckle the political matter in order to get examined on what you are cross-examining me now. But even then I withdrew the offer on the 17th.
484. You agreed and then you withdrew the offer?—Yes.
485. Well, when finally did you come to an agreement?—On Friday the 24th.
486. Friday the 24th of what?—August.
487. Where?—I went to Mr. Houston's rooms at 3, Cork Street, and he took down from me in shorthand the grounds of the Kilmainham Treaty.
488. When, if at all, did you go to Mr. Soames?—On Wednesday last.
489. That is the "Times" solicitor?—On Wednesday last for the first time to ask when I should be called.
490. The documents you have referred to in the course of your examination to-day, the original documents, did you hand those to Mr. Houston?—Yes.
491. When?—Oh? I never let them out of my possession.
492. That is rather what my question conveyed?—No, no.
493. You mean you showed them to him, but kept possession of them?—Yes.
494. Showed them to him so that he could take copies of them?—I do not think all of them, but such as those the Attorney-General referred to to-day or read in the case.
495. You told my friend in examination in chief, you were in the Parliaments of 1884 and 1885, as member for Clare. At the 1885 election you were not supported by Mr. Parnell, for Clare?—No.



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496. Did you complain that he had treated you unfairly?—Yes.
497. Broken faith with you?—Yes.
498. In not supporting you?—Yes.
499. Can you tell me when the members of the Irish party agreed to the arrangement as to, I think it was called, the pledge?—That I remember? At what date?
500. Yes?—No.
501. As to sitting and acting together?—I do not remember what date it was.
502. Well I may remind you, was it not in October 1885, just before the election?—I should think very probably. I do not remember that.
503. You declined, I think, to take that?—Yes, certainly.
504. At all events, I may take it it was not in October?—I told you I do not remember.
505. However, it was before the election, that is the only material part. You declined?—I declined.
506. You stood for the Exchange Division?—Yes; for the Exchange Division of Liverpool, in November I think of 1885.
507. Were you supported by Mr. Parnell after that?—Yes.
508. As we know, that was a short Parliament?—Yes, that was dissolved after the defeat of Mr. Gladstone's Home Rule Bill.
509. In the Spring of 1886 you did stand for Galway?—I stood for Galway.
510. And were supported by Mr. Parnell?—Yes.
511. Against the wishes of some of his colleagues?—Yes.
512. You then did give an assurance that you would sit with the Irish members?—The fact is this, that I agreed with Mr. Parnell to contest Clare without any pledge whatever. Of course I would only contest it as a Liberal. Galway I mean. It was arranged with him that I should go there and receive his support, that I should not sit opposite his party for a short time, but during the heat of the contest he telegraphed to Colonel Nolan, who was acting as my friend.
- Sir C. Russell, we cannot have the telegram.
- 512a. (*The Attorney-General.*) You have asked him?—To ask if in case Mr. Parnell went over to Galway, whether I would allow him to say that I would sit on the same side of the House as his party.
513. In other words that you should sit with the Irish members as forming a distinct party?—Yes.
514. And you were returned for Galway by his assistance?—Yes, and immediately wished to resign on account of that pledge.
515. When did you resign?—I resigned on the day after the division on the Home Rule Bill.
516. Had you made any application for the Chiltern Hundreds?—Yes.
517. When?—I should say June the 8th, I should think at that time.
518. When did you resign, after the Home Rule Bill came to a second division?—No, I should think the 7th or the 8th of June.
519. You did not vote on that occasion?—No, I did not vote.
520. You walked out?—I did not vote. I do not know, of course I walked out.
521. You did not pair?—No, no, I did not.
522. Then as you have said, you committed suicide to save yourself from slaughter, you resigned?—That is your comment I suppose on it.
523. It is a fact, is it not?—No, I do not know that it is a fact. I resigned because I thought it my duty to resign.
524. At all events you had no expectation of any support at all?—No one knew for certain there was to be a dissolution at all.
525. Give me the day of your resignation, please?—The day of my resignation was the date of the second reading of Mr. Gladstone's Home Rule Bill, a day before or that day I am not quite sure, that is to say, the Chiltern Hundreds no doubt was dated after that division.
526. Now will you kindly tell me please, did you in the beginning of 1886 state that certain persons knew that Mr. Parnell has paid for the escape of the Phoenix Park murderers?—No, I do not think I said so. I said it was stated one of the Phoenix Park murderers, of one Byrne.
527. You stated that in the beginning of 1886?—Yes, I said that people said it.
528. You said that people said it?—I am not at all sure of that date, at any rate I remember the circumstance perfectly well and inquiry into it.



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529. I am giving you the particular date, will you say it is not that date?—No, I do not say so. I say I do not remember the particular dates. It is a very different thing.

530. Who stated that?—It was stated to me, I believe, in the first instance by a man called Mulqueeny, and I inquired.

531. That name I think, my Lord, is also new?—And I inquired into the statement when it was made. The statement was with regard to a letter I think, acknowledging a cheque which has since come out. I caused inquiries to be made as to whether that statement was correct from the authorities, and I understand that it was not that the authorities had had no such letter.

532. Who is Mulqueeny?—Mulqueeny is an Irishman resident in London, who assisted me very much when I was canvassing the east end constituency for a friend of mine. I met him at one of the meetings in Whitechapel.

533. What is he?—I think he is employed as a clerk by one of the dock companies, I think so.

534. It was Mulqueeny who stated this to you?—I say I think it was he who told me first; I am not at all certain at this date.

535. You are not at all certain it was, do you mean the date of 1886?—Well, I cannot say.

536. Who also stated that to you?—I do not remember.

537. Am I to take it that no one else stated it, or that you do not remember?—I think you may take it I do not remember anybody else at present.

538. Just think; it was a very serious statement?—Yes; but I investigated it, and found that the authorities did not know anything about the letter, and consequently I supposed there was nothing in it.

539. But I really must press you a little more. It was a serious statement. Who was the other person or persons?—I do not remember anybody else.

540. Was there anybody else?—I think I may have made inquiries of others, but I cannot remember I did so, and I cannot remember who they were.

541. I am not asking the inquiries about others. I want to get this matter to the bottom. I want to know from whom you heard the statement besides Mulqueeny, if from anybody?—I cannot remember that I heard it from anybody else, although I have an idea that I did.

542. May you have heard it?—No, I cannot say.

543. Do you recollect when you heard it?—I told you I cannot fix the date at all.

544. That was with reference to Mulqueeny; was it before or after you heard the statement of Mulqueeny?—I told you I have no recollection of hearing it from anyone else. Of him I heard it. I cannot go nearer than that.

545. Can you say whether the first information was from Macqueeny?—I should think very probably it was, but I cannot remember the circumstance.

546. You say you proceeded to investigate the matter?—I did.

547. To whom did you apply?—I asked Mr. Chamberlain.

548. And anyone else?—And through him the minister in whose department the matter was.

549. Did you yourself apply?—I do not remember. I heard nothing was known of the letter, and dropped it.

550. When Mulqueeny made this statement to you, tell us what he said as well as you can recollect?—He said that that letter had been taken out of the Land League's rooms in Palace Chambers, a letter from Byrne acknowledging the money, acknowledging the receipt of money from Mr. Parnell.

551. By whom?—He believed by the police. It was on that account that I asked for the information.

552. Anything more; did Malqueeny tell you anything more?—About the letter.

553. Yes?—I do not think so; I do not remember.

554. Then am I to take it that Malqueeny told you he had heard that the police had taken a letter from the Land League Chambers in London, which purported to be a letter of Byrne's acknowledging the receipt of money?—Not quite that; he told me that the letter had been taken, and that he believed it had been taken by the police.

555. But acknowledging the receipt of money?—Acknowledging the receipt of money.

556. I do not desire to press you unduly on this part though I must press you a great deal presently. Try and fix as nearly as you can when that communication was made to you?—Well I do not think I shall be able to fix it.



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557. What?—I do not think I shall be able to fix it.

558. Fix the time of the year?—No I do not think I can go nearer than——

559. Than what?—Than what I have told you that the statement was made to me by Mulqueeny.

560. Surely you can tell us what the year was?—No, I really cannot, so much so——

561. How long from the present time?—The matter did not impress itself upon me, for I heard the authorities had not got the letter.

562. What did you say?—I say the matter did not impress itself on me, if I remember rightly, when once I found out that the authorities had not got the letter.

563. Do you know Mulqueeny's address?—No.

564. How he is to be discovered or found?—He called on me recently and he told me that he had left his house.

565. Where did he call upon you?—He called upon within the last few days, I think on Saturday last.

566. Did you believe that information, when you got it, to be correct or not?—The information with regard to——

567. The payment for the escape of the prisoners.

(*The President.*) Of Byrne.

568. (*Sir Charles Russell.*) Of Byrne?—I am not sure that it was. As I told you, I think when we inquired into and found the letter was not there, or that the letter was supposed not to be in the hands of the authorities, I presume I did not pay much more attention to it.

569. Did you ever see that letter?—No, never, except the report in the newspapers.

570. I am talking of the original letter. It was after that information, was it not, or statement of Mulqueeny's that you were a candidate for Galway?—I should think certainly, subsequently.

571. Of course you could not have believed the statement of Mr. Parnell at that time?—Oh, no, certainly not.

572. You, in point of fact, came to the conclusion it was not true?—I have no doubt I did.

573. At that time—quite—I think Mr. Parnell did go to Galway to speak for you, did not he?—He did, yes.

574. After that inquiry as to whether such a letter had been obtained, did you tell Mulqueeny the result of your inquiry?—I certainly did, yes.

575. How did you make appointments with Mulqueeny?—He used to call sometimes on me.

576. Casually or by appointments?—Generally I should think casually, unless I had some electioneering for him to do.

577. Electioneering where?—In the East End of London. Mr. Samuel Montagu, Member for Whitechapel, is a personal friend of mine, and I was very anxious to secure his return, and it was at one of his meetings I first met Mr. Mulqueeny.

578. Now except this reference Mulqueeny made to what I call the Byrne letter, you are not able to charge your recollection at least with having heard of it from anyone else?—No, I am not able to.

579. Did you ever learn from Mulqueeny how the Byrne letter is supposed to have got from the office?—How he supposed it got from the office?

580. You told us that you afterwards found it was not correct?—No, I did not say that. I found out. I asked whether the letter was in the hands of the authorities, and I was told it was not, that is to say, the answer was that the person who was asking about it replied that he had no knowledge of the document.

581. If it had been taken by the police, of course it would have been known?—I do not know.

582. Well, I should think so, certainly?—I do not know

583. You told us you discovered it was not known in the department?—Yes; at the Home Office.

584. Did you discuss with him at all how it could have been obtained?—I had heard the statement that he made.

585. Is Mulqueeny a member of any secret society?—I do not know. I do not know, I am sure, whether he is or not.

586. Has he told you?—He is a Nationalist.



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587. What?—He is a Nationalist, but whether he is a member of a secret society or not, of course I cannot tell.

588. Has he ever told you he was?—No; he has told me he was an advanced Nationalist.

589. Did he convey to you he was a member of any secret society?—He never actually told me he was.

590. But he conveyed that to you, did he?—He told me he was an advanced Nationalist, and I believe at one time, a member of the Land League.

591. Did you meet him anywhere else except when he called at your place?—At meetings at the time of the election, and canvassing the constituency.

592. The East End, you mean?—Yes.

593. Only there?—Only there.

594. Do you know a Mrs. Lynch?—Whom?

595. Do you know the house of Mrs. Lynch?—If you tell me where it is.

596. Wardour Street, I am told?—It is very likely; I have been there once.

597. I was asking you, did you know her?—I am not sure if Mrs. Lynch is the name of the person who keeps the house or not; but I was there once in a house in Wardour Street.

598. What is the name of the house?—I do not know. You mean the sign?

599. Yes?—I do not know.

600. What is the house remarkable for?—In what way?

601. In any way?—I do not know what it is remarkable for.

602. How did you come to go there?—I went there because a number of advanced Nationalists had signed a testimonial to me, or rather a declaration, protesting against my exclusion from Irish politics, and I was told I should meet some of them there if I went, and I went.

603. (*The President.*) I understand you to say it was a public-house?—Yes, my Lord.

604. (*The Attorney-General.*) “The Golden Lion”?—I do not know what sign.

605. (*Sir C. Russell.*) When you use the word “advanced” Nationalist, do you mean to convey to the Court these persons were Fenians?—I mean to convey that they were members of the old Nationalist party.

606. Fenians, or members of a secret society?—They never told me they were.

607. Is that what you mean to convey; is that the impression in your mind?—I do not know that they are, but these are the men who signed the declaration I told you.

608. At all events you believe they were?—I do not know whether they are or not.

609. Now I do not quite understand this; you say they signed this presentation to you?—No, a declaration protesting against my exclusion from politics.

610. These advanced Nationalists?—Yes.

611. Who was the man who had got up this testimonial?—It was brought to me by Mulqueeny.

612. The same gentleman?—Yes, and it was with him I went to this house.

613. Were you only there once?—Only once.

614. Whom did you meet there?—I cannot remember.

615. I should like to ask you about this. These persons who made this presentation or representation, they were complaining of your exclusion from politics?—Yes.

616. Were they all resident in this country?—I do not know the men of their party in the county of Clare were always great supporters of mine, and very much devoted to me, and I presume these men, some of them, were friends of theirs. These are the old Nationalists, and I always told them how foolish I thought their adventures were, but who hate outrages as much as I did myself.

617. Those were, in point of fact, you understood, without actually knowing it, Fenians. Was that society very strong in Clare?—I do not know; I cannot tell you that.

618. Did you form no opinion?—No, I have no means of forming an opinion as to its strength.

619. Were there any signatures of persons in Paris to that document?—I do not know, I am very sorry I did not bring down the document. It is perfectly at your service.



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620. Probably we may see it later. Did you send to any foreign part for signatures of the document?—No. certainly not.

621. Were any signatures from foreign parts obtained?—I forget, I have not seen the paper for some time or the parchment for some time.

622. Was a man called Casey amongst them—Patrick Casey?—I do not remember, but you can have the document.

623. Do you recognise the name?

(*The Attorney-General.*) Bring the document to-morrow.

624. (*Sir C. Russell.*) Do you recognise the name?—I do not remember whether the name is to it.

625. You do not?—No.

626. Do you know who Patrick Casey is?—No.

627. Do you mean you never heard of him?—No, indeed I do not, but I say I do not remember who he is. I may have heard of him, but I do not remember it. I have no knowledge of him. I have never seen him, I am certain of that.

628. Do you know he is a professed dynamiter, if that is the right word?—Certainly not, I do not know anything at all about him.

629. Now I must put it to you, do you or not know that Mulqueeny went to Paris to get the signature of that man, aye or nay?—Well, now that you mention it, it is possible. I did not remember it, and I do not now remember it, but it is possible.

630. Did you send him there for the purpose?—No, certainly not.

631. Did you pay his expenses of going there?—I have given Mulqueeny money.

632. Did you pay his expenses there for the purpose?—I should think not.

633. Will you say not?—No, because it is very likely if he asked me for it afterwards, or told me of the expenditure, I should have paid it, certainly I should.

634. Do you recollect that you did?—No, I do not.

635. What did you give Mulqueeny the money for?—I took a liking to the man; he was extremely useful to me at the time of that election, and I liked him and I liked his father, and when they want money I have often [given money to them—to Irishmen, very often.

636. What?—I say I have given money to Irishmen when they wanted it.

637. Did you meet anyone at Mrs. Lynch's except some of the people who had signed this paper. Was there anyone else you met there?—No; I cannot recall any of the names. I recall what occurred perfectly well. I explained to them my views on politics, and the advantage to be derived from supporting the Liberal party.

638. Is there an address framed and glazed?—Oh, dear, no.

639. I mean by the address, the testimonial?—The testimonial? No. It is on parchment. You can have it to-day if you like.

640. When Mulqueeny came back from Paris did he tell you whether he had seen Casey or not?—I do not remember the name of Casey now.

641. Did he tell you what he had gone to Paris for?—I have no doubt he did, if he went he certainly did. I did not remember it until you mentioned it.

642. What did he tell you he went for?—I do not know. I do not think that was the only time he had been to Paris. He had been at other times.

643. I am referring to a particular time that he went for a definite purpose?—I do not know that he did.

644. After which you paid him his expenses?—Very likely I did—not paid his expenses—that I paid his expenses is not so likely, as that I gave him a sum of money which I frequently did.

645. I have asked you about one statement, that statement made to you by Mulqueeny in reference to the Byrne letter. Did he in the winter of 1885–86 make any other statement, or did you get any other statement made to you?—Of what kind, of what nature?

646. Was any statement made to you by anyone in the winter of 1885–86 suggesting there were letters compromising Mr. Parnell?—I do not remember any such thing.

647. I must press you, please, about this; just think of it carefully?—Yes.

648. Did you to anyone state, about the time I mentioned, or at any time in the winter of 1885–86, that there were any American Fenians in London who were hostile to Mr. Parnell, and who held documents supposed to compromise him? Do not answer without thinking?—I have not the slightest intention. I remember distinctly telling Mr. Parnell that I had heard there were Irish Americans in London at one time. But I have no recollection of hearing anything further, or saying either that they were



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hostile to him, or that they held compromising documents. I may have said "hostile to him," because I believed that these men were hostile to Mr. Parnell; but otherwise I do not remember the matter at all.

649. You believe that the Fenian body were opposed to his policy?—Well, I do not know. I mean the men who might come here for the purposes of committing outrages. I believe Mr. Parnell to be absolutely free from any connivance with outrages.

650. I am much obliged to you for the statement, but it is not the point I am asking you. You believed these men were opposed to his policy?—Of course if his policy was not dynamite and they come over with dynamite, of course they were opposed to his policy.

651. And you believed that he was so opposed?—That Mr. Parnell was opposed to dynamite.

652. Yes?—Most certainly as I have said.

653. And to outrage?—And to outrage.

654. You were perfectly confident that he had a sincere desire to follow out his agitation on constitutional lines?—Certainly. I can go even further if it is any advantage to you in that.

655. Go as far as you think right?—It is only within the last two or three months that I saw correspondence in the newspapers between Mr. Herbert Gladstone and Mr. Arnold Morley, in which Mr. Morley stated that Mr. Parnell had been in constant,—or words to that effect,—that he had been in constant communication with Sheridan at the time that Sheridan was organising crime. I was so astounded at the statement that I wrote to Mr. Arnold Morley to ask about it. I did not believe that he had had anything to do with Sheridan. He told me so often that he had not. Even after I changed my opinion of Mr. Parnell I did not believe it. I am now speaking of course with regard to Sheridan only.

656. I wish to know, at the suggestion of my client, what altered your opinion in June or July 1886?—Negotiations took place at that time previously to the division on the second reading of the Home Rule Bill, and certain things came to my knowledge at that time which absolutely destroyed the good opinion I had hitherto held of Mr. Parnell.

657. Just tell us anything whatever with regard to Sheridan that came to your mind. Mr. Parnell wishes you to state fully what you can say?—When you are asking me what occurred in 1886—

658. With reference to Sheridan?—I thought you said with reference to your client.

659. You must bear in mind you rather bring this upon yourself. You said that up to June or July 1886 you had formed a certain opinion, which you changed in relation to Sheridan?—No, I distinctly stated it was owing to something that came out during those negotiations. I did not say it was on account of anything connected with Sheridan.

660. I do not want to leave this part yet. You say that you did tell him that there were certain American Fenians in London, and you probably said who were hostile to him?—No, I am sure I did not say there were American Fenians.

(*The President.*) He has never used the word "Fenian."

(*Sir C. Russell.*) It conveys the same thing.

(*The President.*) It may or may not; he has talked of American Irish, that was his expression.

661. When you talk of American Irish, or Irish Nationalists, or Old Nationalists, do not you mean the same?—No, there are modern Irishmen Nationalists.

662. When you talk of old Nationalists you mean to convey the idea of a secret, or probably of a Fenian, organisation?—The old Fenians; they were a very different class of men.

663. You gave him the information that they were—what was the expression—American Irish who were in London, and who were hostile or supposed to be hostile to Mr. Parnell?—I did not say that. I told him that there were American Irish here who were hostile to him. I said it might have been said in conversation, but I did not qualify them in that way. I am sure I should not have done so. I mean as matter of conversation it was very likely said, and I believed it, that they were hostile. I do not know that I mentioned the matter, but I do not know who told us.

664. Do not know who told you?—No.

665. Try and recollect?—It is a very long time ago and I do not think I attached very much importance to it.



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666. No, but we do?—I said, I do not suppose that I attached at that time importance to it.

667. I am pressing you upon it. Who might have told you?—I do not know; very likely Mulqueeny might have told me something about it.

668. Did he tell you where they were?—No.

669. Did he tell you where they were stopping?—No, but he told me that he had been threatened by one. I do not know whether at that time, or at another.

670. Did you make any further inquiries about it?—No, I did not know who to inquire of.

671. Did not you tell Mr. Parnell at the time I have referred to, namely, in the winter of 1885 or 1886 that these, I will use your own expression, American Irish, were in London, and the statement was that they had letters compromising Mr. Parnell?—No, I have no recollection, and I do not believe I said anything about letters compromising.

672. I must put it to you. Will you swear you did not?—Yes, that is to say with the greatest certainty a man can swear to anything that occurred so long ago; to the very best of my belief I did not say anything about it.

673. You say that Mulquenny told you that one of these men had threatened him?—Yes.

674. Did he give you the man's name?—Yes.

675. Go on?—I am not quite sure whether he told me it was one of these men or another man who threatened him.

676. What was the name?—I think at the same time he mentioned the name of General Carroll something.

677. Carroll who?—Thavies, or some such name.

678. Carroll Davis?—Thavies I think.

679. General Carroll Thavies?—I think so.

680. As being one of the men in London?—No, as being one of the men who threatened him.

681. As being one of the men who threatened him; who was the other?—Not an American, I think.

682. What was his name?—I do not know, but I think he was a civil engineer.

683. Was his name Hayes?—I think so.

684. And did you not know it, sir?—Yes. I think it is Hayes.

685. Why did you not tell us at once?—Because I was not certain. I must think. I have no recollection. It has gone altogether out of my head,

686. What was Hayes?—I was told he was a civil engineer.

687. Is he an American, or an Irish American, or what?—I do not know. I know nothing about him more than that.

688. What did Mulqueeny report to you about him?—He reported to me that he had seen him. I think he had received a letter and went to see him at an hotel, and that he threatened him with—I do not know what—I think chiefly about the testimonial to me, or that declaration in favour of me.

689. That he, Hayes?—Hayes, if it was Hayes, or the other man if it was he.

690. Mulqueeny had got a letter telling him to go to an hotel?—Yes.

691. Where?—I think in Covent Garden.

692. The Bedford Hotel, perhaps?—I do not know.

693. And that he went?—And saw this man, or men; and that they threatened him, if I remember rightly, on account of this declaration of mine.

694. Is Hayes an Irish American, or what?—I do not know. I know nothing about him, except I have been told that he is a civil engineer.

695. Did Mulqueeny tell you what he was?—That he was a civil engineer.

696. Is that all he told you?—That is all he told me; I do not know anything more about it.

697. Surely, when your friend Mr. Mulqueeny came and told you this story, you asked him who Hayes was?—He told me that Hayes was a civil engineer, and I believe established in London.

698. What had he, a civil engineer established in London, to do with any testimonial presented to you by the old Nationalist Fenians?—I do not know.

699. Did you not ask Mulqueeny?—I presumed that it was owing to some action taken by some of my enemies amongst the Irish who prevailed upon these persons to act against me.



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700. That is not what I am asking you ; I am asking you ; did not you inquire from Mulqueeny who he was or what he was ?—He told me he was a civil engineer.

701. Did you ask him what party of politics, or pretended politics, or political party he belonged to ?—He told me he was a very violent man in politics.

702. Did he tell you that Hayes was an emissary from New York ?—No ; he told me that Hayes lived in London.

703. Did he tell you that he was an emissary from New York ?—No, I believe he told me he lived in London.

704. Did you see Hayes ?—No.

705. Are you sure ?—Certain.

706. Do you know that he was supposed to be implicated in the attack on London Bridge ?—Yes ; I have often heard that.

707. You have no doubt whatever about his character, I presume, now ?—Well, he was evidently very much opposed to me for one thing.

708. Did Mulqueeny mention the other name to you ?—This General Carroll Thavies, or some such name. I am not quite sure that I have got it right now.

709. Or any other name ?—I do not think so.

710. Do you recollect the name Cassidy ?—No.

711. Do you know anyone of the name of Cassidy ?—No.

712. Are you sure ?—Certain.

713. Did you visit the hotel in Covent Garden ?—No.

714. Are you quite sure ?—Certain.

715. Do you say you are quite sure you did not visit any hotel in Covent Garden at this time ?—Certain ; not with regard to any of these people ; I may have gone to an hotel in Covent Garden in the whole of that year, but nothing with reference to this.

716. But with reference to seeing any person who Mulqueeny had mentioned to you ?—Never.

717. What hotel do you suggest that you did go to ?—That I went to ?

718. Yes ?—I do not suggest that I went to any.

719. Did you, as a matter of fact. I want to know ?—No ; I say I did not. I say in the whole year I might have called at an hotel in Covent Garden.

720. Which hotel would it be ?—I do not know. The reason I have stopped to guard myself in this matter is that I remember going to call on Mr. Edward Dwyer Gray at an hotel in Covent Garden, and also on Mr. Daniel Gabbett, former member for Limerick.

721. With that exception, you mean to convey you did not call there ?—I not only mean to convey, but I swear it.

722. Did you after you had heard from Mulqueeny of the presence of General Carroll Thavies, I think you said, or some such name, and of Hayes, the civil engineer, send Mulqueeny to Paris ?—I have not the slightest recollection of doing so.

723. Did you send him to give a warning to Casey ?—No, I never had any communication with Casey.

724. Did you send Mulqueeny to give a warning to Casey ?—No, certainly not.

725. That you are quite clear about ?—Quite clear.

726. Did you send him to Paris after you became aware of the presence of the American Irish in Covent Garden ?—No, I do not think I did. I cannot remember anything of the kind.

727. Will you say you did not ?—Yes, certainly I will say to the best of my belief I did not ; I have no recollection about it.

728. It is a thing you would recollect ?—I am certain I would recollect it if I did so.

729. Then you are positive you did not, are you ?—I have no recollection whatever. I am positive your question does not bring back any recollection at all to my mind on the subject.

730. I mean you are able to say positively you did not ?—Yes, I say positively I did not ; I say that I cannot remember anything of the kind.

731. You know it is not an event that occurs every day to send Mr. Mulqueeny to Paris ; you ought to be able to say positively I should think ?—Oh yes, I am sure I did not.

732. Very well then, you are positive you did not ?—Yes, as sure as I can be of anything.



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733. Have you kept up your communication, correspondence, intimacy with Mulqueeney?—Not exactly intimacy; I have not seen him for a long time until some months ago when I had just come back from abroad and met him in Cannon Street, and he told me of his father's death, and I think I have seen him twice since then, once in July and once the other day; once in July and twice since.

734. Since the political events of 1885-86, when you tell us you consider you were badly treated by Mr. Parnell, have you threatened him?—How do you mean threaten him, threatened Mr. Parnell?

735. I am not taking about personal violence or anything of that kind?—Threatened him with retaliation?

736. Threatened him is my question?—No, I do not know that I have. I may have been angry. Certainly, I was very angry with him when I turned him out of my room at the Shilburn Hotel in Dublin, but nothing that could be called a threat, that I remember.

737. When did that incident occur?—That incident occurred either at the end of October or the beginning of November 1885.

738. Will you just explain how you turned Mr. Parnell out of your room?—I told him the sooner he went the better I should be pleased, for I never wanted to see him again. Oh, I did not use any force.

739. Have you said you would be revenged on Mr. Parnell?—I never remember using the expression.

740. Will you swear you did not. No, I will not, because one says so many things when one is angry; but I never have been revenged on him or done anything in that way.

741. Have you said that you had a shell which would blow him up charged with dynamite?—I should think not; it is most unlikely I should use such an expression.

742. Have you?—What kind of shell do you mean—a real shell?

743. I am not suggesting it is a real shell?—Oh, no, I never said that.

744. When did you first hear of the letter which is called the facsimile letter?—When I saw it in "The Times" the day it was published. I saw the letter itself for the first time last Wednesday.

745. I am speaking of the publication of it?—I saw it when I opened "The Times" in the morning. I bought "The Times" and read it as usual.

746. (*The Attorney-General.*) And the letter itself you saw the first time last Wednesday?—The letter itself I saw for the first time last Wednesday.

747. (*Sir C. Russell.*) That, I presume, would be at Mr. Soames' office?—That was at Mr. Soames' office, when I went to ask him to call me early in the case.

748. And you had not heard from anyone until this letter appeared a suggestion made (excluding the Frank Byrne letter) that there were any letters in existence compromising Mr. Parnell?—No.

749. From anyone?—No.

750. Nor at any time?—No; I was astounded when I saw it.

The Court adjourned for a short time.

751. (*Sir C. Russell.*) The question I put to you as you were leaving was not at comprehensive as I intended it to be. You were understood to say that except the statement made to you by Mulqueeney, which referred to the Byrne letter, you had heard no statement from anyone, and made no statement, as to any rumours in relation to any other compromising letters and documents?—No. Then I was not distinctly understood. I said I did not remember who the other persons may have been, but I never said I had not spoken about the letter.

752. Very well; then it is important I should revive it. Am I now to understand that, although you cannot recollect the person or the persons, you did here that there were in existence compromising letters or documents?—No. We are now talking about the Byrne letter?

753. Not at all. I have done with the Byrne letter. You have told us you did hear the Byrne letter spoken of by some other person or persons, but whom you do not recollect. I am not troubling you at all about that, unless you can tell me whom you heard it from?—No.

754. My question was, first of all did you hear from anyone and at any time before the publication of the facsimile letter, that there were in existence any letters or documents of a compromising character?—That is what I answered before I left the Court. I do not think I did so.



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755. May I press you?—Certainly press me as much as you like.

756. Is it you do not recollect, or do not think, or do you say positively you did not?—I am as positive as possible that I never spoke about compromising documents, nor do I remember anyone speaking to me of there being in existence compromising documents. In fact, in other words, I know nothing about these letters.

757. Very well. I am not talking of these letters. You will find there are a great many more?—Oh, yes.

758. I am not talking of these letters particularly; any letters?—I have had nothing, right or left, to do with any letters of the kind; I have heard nothing.

759. You do not really follow me. Did you, until the publication of the facsimile letter, have it suggested to you by anyone that there were in existence compromising letters or not?—To the best of my belief, no.

760. Well that is an answer. You are pretty positive about that?—Oh, yes.

761. You have spoken about your acquaintance with the advanced Nationalists or Fenian party in Clare. It is only just to them that you should make your own explanation about them. You say they were the old Nationalist party who were opposed to outrage?—Certainly.

762. Who went in for open revolt if they were able?—Yes, what they called the hill-side men, the men who thought that the day might come when they could fight their country's battle on the hill-side against the British forces, and in the meanwhile objected to all outrages.

763. They were not persons then who went in or professed to go in for assassination?—On the contrary, always spoke to me with the greatest horror of it.

764. Some prominent names have been mentioned here, amongst others, Mr. John O'Leary?—Yes.

765. Was he an advocate of assassination or anything of that kind, so far as you ever heard?—On the contrary, I should think anything more repulsive to him could not be imagined.

766. Was not, in point of fact, the policy, if it can be so called, of that physical force or hill-side party opposed to the constitutional party altogether—I mean up to a certain point?—Most decidedly.

767. And you are aware, are you not, that for years after, and even at the present time, the Fenians are amongst the most strenuous opponents of Mr. Parnell's policy?—Certainly. I kept them apart as long as I could myself in the county of Clare.

768. How do you mean kept them apart?—Pointed out to them they ought never to join the Land League.

769. You were in favour of keeping up the old line of demarcation?—No; I said that I always spoke to them as candidly as possible, and pointed out to them the folly of their ideas, and always considered it well they should not join the Land League; because the Land League was hostile to me politically for one thing.

770. And amongst your reasons was the interested one that the Land League was hostile to yourself?—Certainly.

771. You have not made any concealment, I am sure, of your influence with that party?—I make no—I do not in the least wish to say here, or to ascribe to myself any influence with that party. What I do say is that a number of men in the county Clare, who have shown me not only, as I said before, constant support, but personal devotion—I have always spoken candidly to them about the folly of their movements; at the same time I am very proud indeed of their support—honest, honourable men.

772. You, probably, told Mr. Chamberlain of your views in relation to these?—I have never hesitated to express these views everywhere, I may have explained it to you; it is such a matter of common conversation.

773. Up to May and June of 1886 you told us that you believed implicitly in Mr. Parnell's honour, and that you knew that he was opposed, and always had spoken as if he was opposed, to outrage?—Certainly.

774. And you said, as regards outrage, you continued of that opinion till a much later date?—Yes.

775. I think you fixed the date, did you not, on that question of changing opinion as to outrage; I think you fixed that date coincidently with the appearance of a letter of Mr. Arnold Forster?—No, not at all.

776. I thought so?—My mind is quite open upon that point. I await the report of the Commission to make up my mind.



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777. Then, as far as you yourself are concerned, you have not, upon the question of Mr. Parnell's attitude towards outrage, altered your opinion?—I have altered my opinion with regard to Mr. Parnell, and of course that must affect a man's mind, but I do not know anything.

778. I just want to bring that to a point. You have told us you were naturally annoyed, and I presume were disappointed, that you were not supported in the county of Clare in 1880. Was it the fact also that in the Home Rule discussion you were very anxious to get Mr. Parnell's support of the modified or Local Government scheme of Mr. Chamberlain?—To what? the Local Government scheme of Mr. Chamberlain?

779. Yes, modifications, in other words, in the Home Rule Bill, with the object of reducing the measure to a Local Government scheme, rather than to——?—No, that was not, as far as I understand, at all the scope of any negotiation at the time.

780. I am not talking of any negotiation whatever?—The Home Rule Bill had nothing to do with the Local Government scheme—nothing whatever.

781. Were you or were you not in favour of Mr. Chamberlain's Local Government scheme?—The Local Government scheme had nothing to do with matters then, at all.

782. I am not saying so; were you or were you not in favour of it?—There is something in this question which I want to make very straight.

(*The President.*) Are the witness's opinions on this question material?

(*Sir C. Russell.*) As a matter of opinion, certainly; but, as affecting conduct, not.

(*The President.*) We have nothing to do with them.

(*Mr. Justice Smith.*) Why as a matter of information certainly?

(*Sir C. Russell.*) Because it explains the conduct and position which this gentleman took up, but I do not think I should be called upon to give my reasons for my questions in the cross-examination at this stage.

(*The President.*) I beg your pardon, certainly. The meaning of my interruption was, I did not see the relevancy of it.

(*Sir C. Russell.*) The relevancy is, I want to explain the position of Mr. O'Shea at a particular date. It is with reference to that I am asking. It is not material at the present moment, but when one is putting a question to get an answer, I meant to convey, I should not be called upon to justify before the witness.

783. What I want to get from you, Mr. O'Shea, is this, if you will kindly give me your attention. You took Mr. Chamberlain's side in that discussion. You declined, you know, to vote for the Home Rule Bill?—Yes.

784. That is a fact is it not?—That is a fact, yes; but not for the reasons which you have just stated.

785. I have not stated any reason?—You suggested that it was a matter of a Local Government Bill.

786. Were not Mr. Chamberlain's suggested alterations in the Home Rule Bill in the direction of making it rather a Local Government scheme?—Certainly not.

787. Very well, you differ about that. It was after the incidents, I may take it, of May and June 1886 that you altered your opinion of Mr. Parnell?—Yes.

788. You have told us quite candidly that as regards outrages, you would not say you have altered your opinion, but you are awaiting the judgment of the Commission?—Certainly.

789. Was I wrong in saying you had made a reference to Mr. Arnold Forster's letter? You were understood to make it just before you left the Court?—I spoke to you about it in the course of my cross-examination—a letter I had seen in the paper of Mr. Arnold Forster.

790. Which, I think you said, had astonished you then?—Yes, so much so that I had an interview with him about it.

791. I wanted to be quite clear I understood. Now in relation to your communications with the Government when did those begin?—In June 1881.

792. Now I wish to remind you (my Lords may not recollect it) the state of things at that time was, that there was a Coercion Act of February 1881 in operation.

(*The Attorney-General.*) Mr. Forster's Act, I suppose?

(*Sir C. Russell.*) Mr. Forster's Act. It is not really called the suspension of Habeas Corpus, but the Protection of Life and Property. However, for brevity, we call it that.

793. That was so?—Yes, that was so.



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794. And the Land Bill which afterwards passed through the Houses of Parliament was under discussion?—Yes.

795. Now I wish in relation to that, just to ask you these questions. You are aware, and I think you supported it by your votes also, that there were some three or four very important points for which the Irish Members were contending in relation to the Land Bill—first of all that it should comprehend a scheme for arrears. Next that the improvement, or Healy clauses as they were subsequently called, should be framed so as to prevent the possibility of tenants improvements being taxed by an increased rent, and next the inclusion of leaseholders. Those were three important points were they not?—Yes, the last one was very important indeed, in my view.

796. The inclusion of leaseholders you considered to be a very important point?—Yes, I supported it to the utmost of my power.

797. However the Bill was passed without any of those points being dealt with?—Well, the Healy clause was there.

798. But you know the criticisms upon it?—Yes, substantially.

799. Not in the sense that the Irish Members considered they should be. There was also another point, was there not, namely, the question of strengthening the Land Purchase Clauses or the Bright Clauses as they were called of the Act of 1870 so as to render easier to the tenants the terms of acquiring their own holdings?—Yes, I took a great deal of interest in all.

800. Those were the four points. That was also important. Now; when you entered into, as you call it, communications with the Government, was that with Mr. Parnell's knowledge in the first instance or not?—At his request.

801. In the first instance?—In the first instance.

802. Or was it after you had written, after you told him you had written, to Mr. Gladstone?—In 1881?

803. Yes?—No, it was at Mr. Parnell's request that I placed—

804. These points prominently?—No, these were not the points at all. What I offered on behalf of Parnell that he, on conditions, would break up the Land League.

805. I am asking you were these points not put forwards as points which had to be considered in order to prevent the organization of the Land League being a necessary instrument?—No.

806. What were they?—The chief one; the chief condition was—I am not sure—I cannot say—these were not mentioned; but the great condition was that the Land League should be broken up on condition that the Irish landlords, reducing their rents within a certain time, should get compensation from the Exchequer. That was the great proposal.

807. Do you mean to say that was the whole proposal?—Certainly.

808. The whole proposal at that time?—Certainly.

809. That was by letter, was not it?—Certainly, yes.

810. You say it was with Mr. Parnell's *à priori* knowledge, but whatever it was you communicated it in a letter?—I communicated it in a letter, and what I say is the principal offer was what I mentioned. I do not say in the letter, because I have not got the letter, and I cannot refer to it. But I do not say other points may not have been mentioned.

811. That was a letter to Mr. Gladstone?—That was a letter to Mr. Gladstone.

812. Do you suggest that you used such a phrase in that letter as breaking up the Land League, or anything of that nature?—That I used the phrase?

813. Yes?—I certainly used it to Mr. Gladstone; yes, certainly.

814. In the letter?—The letter was written—the letter you must remember was written after my conversation with Mr. Gladstone. It was a *vivâ voce* communication, and he said, "Well, this is a very serious matter, and must be put before my colleagues; put it down."

815. I am asking you, did you put it down?—That I do not remember, because I have not seen the letter since.

816. I think that was the only communication you had with Mr. Gladstone?—Of what kind?

817. At that time?—Yes.

818. With reference to all the rest of what you have described as the subsequent communications which resulted in the release of certain persons from Kilmainham, and in the arrangement as to the passing of the Arrears Bill, and so on, your principal



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[Continued.]

medium of communication was Mr. Chamberlain?—Yes; but Mr. Chamberlain did not come in until the negotiations were on foot with Mr. Gladstone.

819. So I understand?—I thought you meant to ask me whether in 1881 there were any further communications of this kind with Mr. Gladstone. I say, no. But it was arising out of that. Mention was made of that communication when I re-opened negotiations or communications with Mr. Gladstone in 1882, and it was subsequent to these, it was in fact, when the communications were entertained that Mr. Gladstone delegated to Mr. Chamberlain, who knew nothing whatever about the matter before, delegated the business with me, as I believe Mr. Gladstone objects to the word “negotiations.”

820. That is what I rather meant to put to you. I think I did put it to you, namely, that after the renewed introduction of the matter the medium of communication was Mr. Chamberlain?—Yes, but that was after the thing had been taken up in fact.

821. I have said so?—Yes, quite right.

822. I have put it to you that the matter was taken up again. What date do you fix as the beginning of the renewal of these communications?—An early date in April.

823. Was that renewal without any communication with Mr. Parnell?—Yes.

824. Or without any communication with any of his colleagues?—Yes.

825. Entirely upon your own motion?—Yes.

826. And the first intimation of it, as I understand you, was made to Mr. Parnell on the occasion of his being allowed out on parole to attend the funeral of his relation?—Yes.

827. Now, as regards the conversation which you say you had, I think, at Eltham. I wish to make this clear. I think you have already in effect made it so. Is it not true that when you mentioned the question of the release that Mr. Parnell said that that must not then be discussed, or in any shape or way made a condition?—Yes, certainly that was the case, and on the other side there was no bargain.

828. Yes?—Of course one takes all these things with a grain of salt; but still that was the declaration on both sides.

829. But did you or did you not believe that Mr. Parnell was sincerely anxious, with reference to the peace of the country, that amongst others, that Arrears' Bill should be conceded by the Government?—Certainly.

830. He was?—I am sure he was.

831. And is it not the fact that in every reference which he made to the attempts to put down outrages, or his ability to help in putting down outrages, he referred to the proposed measure of the Government as one which would help to tranquilise the country?—Most certainly.

832. And you agreed with that?—Certainly, having no knowledge of the Land League myself or of what their power was.

833. But you did agree with him? Did you see any reason to differ from him now?—With regard to the Arrears Bill?

834. Yes, to the effect of the Arrears Bill?—No; I am glad to say I look upon myself as having done a very good business for the Irish tenants in getting the Arrears' Bill.

835. What was the date—can you tell me—at which the memorandum which was produced in Mr. Chamberlain's handwriting was written out. It has a date in pencil upon it. Can you tell me what date it was?—May I look at it?

836. Certainly, by all means. [*The document was handed to witness.*] Whose is the writing of the date there?—Mine.

837. When was it put upon it; when was the date put upon it?—I have no doubt at the time.

838. (*The Attorney-General.*) What is the date?—22nd April 1882. It must have been either the 22nd or 23rd April.

839. (*Sir C. Russell.*) Was that document left with you?—Yes.

840. Did you interchange any copy of it with Mr. Chamberlain?—No, I wrote a note in reply to it.

841. Repeating it so to speak—in substance endorsing?—Well, there may be a little alteration in the discussion of the date—something of that sort; but substantially the same.

842. With reference to the discussion at Eltham of which you spoke, I think you said it was upon his return from Paris?—Yes.



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[Continued.]

843. Was anything discussed between you upon that occasion whatever except the Arrears' Bill?—Oh, yes, there must have been a great deal more than that; we discussed the whole situation.

844. Are you able to say there was?—Oh, certainly.

845. Was that the principal subject of discussion?—The Arrears Bill, and the general arrangement, and what would come out of it.

846. You were aware, were you not, that Mr. Parnell had drafted in Kilmainham a Bill dealing with that question?—The Bill probably which was introduced on the Wednesday, that we have spoken about already.

847. By Mr. Redmond?—Yes.

848. You are aware of that?—Yes.

849. I think you have already said so, and my friend was good enough to put it for me, that when he in his letter of April refers to the Wednesday's discussion or proceedings as being satisfactory, he was referring to the way in which the Government were meeting the demand for legislation embodied in that Bill?—Yes; it certainly meant that.

850. Well, did it mean anything else than that. I mean you shake your head as if there were something more. Just give the letter of the 27th April?—Yes; but the Arrears Bill of course was not the only matter of discussion, or the only matter, although the Bill was brought in; and all that occurred on the Wednesday—everything was going very satisfactorily at the time.

851. What I am asking you is not that. He says, "Wednesday's proceedings were very promising so far as they went." That is referring, is it not, to the discussion on the Wednesday sitting of the House, of the Bill then introduced by Mr. Redmond?—Yes; but not only the Bill, but of course the way in which that Bill had by arrangement been received.

852. Well, I say the way in which the Government had received it?—Yes.

853. Now, whatever were the preliminary discussions between you and Mr. Parnell, his views were ultimately embodied in that letter which was afterwards read in the House of Commons?—Yes.

854. My friend I do not think intended to make any point; nevertheless we had better clear it up. That is the document, is it not, which you yourself gave to Mr. Parnell? [*handing witness document*]. We may assume it is?—Oh, yes, this is. I do not know whether it is or not. It is in my handwriting.

855. We shall see how it is headed. Your Lordship will recollect my friend drew attention to the fact that a portion of the letter was not read. This is headed, "Private and confidential, Kilmainham"; and it is headed copy. It is all in Mr. O'Shea's writing. It stops, my Lord, at the words "outrages and intimidations of all kinds." It stops there.

(*The President.*) With reference to the Liberal Party.

(*Sir C. Russell.*) Yes, the reference to the Liberal Party is there.

(*The Attorney-General.*) I think my friend is not quite correct, because in the actual copy read it went further.

(*The President.*) It was only the reference to the Liberal Party which was intended to be left out.

(*Sir C. Russell.*) Yes, obviously that is all. I had better read, perhaps, what is here so that there may not be any doubt about it.

"I was very sorry that you had left Albert Mansions before I reached London from Eltham, as I had wished to tell you that after our conversation I had made up my mind it would be proper for me to put Mr. McCarthy in possession of the views which I had previously communicated to you. I desire to impress upon you the absolute necessity of a settlement of the arrears' question, which will leave no recurring sore connected with it behind, and which will enable us to show the smaller tenantry that they have been treated with justice and with some generosity. The proposal you have described to me, as suggested in some quarters, of making a loan (over, however, many years the repayment might be spread), should be rejected for reasons which I have already explained to you. If the arrears' question be settled on the lines already indicated by us, I have every confidence, shared by my colleagues, that the exertions we should be able to make, strenuously and unremittingly, would be effective in stopping outrages and intimidations of all kinds."



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[Continued.]

(*The Attorney-General.*) Hand it in.

(*Sir C. Russell.*) Not yet.

(*The Attorney-General.*) It should be identified.

(*Sir C. Russell.*) I have no objection to its being handed in.

(*The Attorney-General.*) It should be accessible.

(*Sir C. Russell.*) At that discussion at Eltham do you recollect Mr. Parnell saying it would be far better to allow him and his colleagues to remain where they were for a few months more if the Arrears Bill were passed, as if they were released at once it would look as if there had been negotiation on the subject; do you recollect his saying that?—No.

857. Did he say it?—I should think certainly not.

858. What?—I should say certainly not.

859. Do you say certainly not?—No; but I do not recollect his saying it.

(*The President.*) Who is it suggested said that?

(*Sir C. Russell.*) Mr. Parnell to this gentleman.

860. Now, in reference to the No Rent Manifesto, did not Mr. Parnell tell you, and did not you know yourself apart from his telling you, that it had been in point of fact a dead letter for some time?—Mr. Parnell told me in Kilmainham.

861. I do not want really to interrupt you, but could you say yes or no to my question?—No, I was not satisfied. It was not satisfactory to myself or to others. Any statement that had been made until I went to Kilmainham on that point was not satisfactory to myself or to others.

862. I am asking you, did Mr. Parnell tell you (whether it was satisfactory to you or not is not the question) that in point of fact the No Rent Manifesto was and had been for about a month at least a dead letter?—I do not remember his saying so at Eltham.

863. Did he say so to you in Kilmainham then?—Yes, certainly.

864. Now, you have said Mr. Parnell stipulated or desired to stipulate that Mr. Davitt's release should be delayed until he saw him?—Certainly.

865. Did he tell you why?—Yes, because he wanted to see him before anybody else did.

866. Yes, but did he tell you why?—Yes.

867. Try and recollect the reason?—Oh, yes, there is not the slightest difficulty in recollecting the reason. He wanted to see Mr. Davitt before anybody else did, in order to explain to him the situation and the policy.

868. Did he say anything about his fear that Mr. Davitt might refuse to accept his release on ticket-of-leave?—I should think that must have been afterwards.

869. I ask you, did he not say that to you, sir, at the time and give as his reason that he feared that Mr. Davitt would not accept his release upon ticket-of-leave?—Certainly, nothing of the kind. The statement he made was the statement I have just said, that is, that he wanted to see Mr. Davitt first, before anybody else did, in order to talk the politics over with him.

870. You say he said that afterwards. When did he say it?—I said that was a matter which was discussed afterwards, after the release of Mr. Davitt, as to whether I could not get the ticket-of-leave. I mean if I could not get a free pardon instead of a ticket-of-leave for him. I am not sure that at the present moment Mr. Davitt knows of the circumstances.

871. I am asking you, sir, was it not mentioned by Mr. Parnell whether Mr. Davitt would accept the ticket-of-leave?—No.

872. You are clear about that?—Certainly.

873. When discussing the release of the other persons who were prisoners do you recollect his saying anything about the desirability of his being able to communicate with all the executive of the Land League together?—Together?

874. Yes, the advisability of his communicating with all the executive of the Land League?—I cannot remember such a broad statement as that.

875. Just narrow it if your recollection enables you?—These men he was anxious should be released; yes, these men whom we have spoken about, but I do not remember his saying that he wanted to see the whole executive of the Land League. I presume there were a great many of them he could see.

876. I am not talking of persons connected with local branches, but I mean the



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[Continued.]

persons who were persons of more or less authority in the League?—Yes, but I presume they were not in gaol.

877. Some certainly were?—Yes, but some were not.

878. I am talking of those who were; as regards them, whether in talking of the release, he did not speak of the desirability —?—There was Egan, he wanted leave to return to England for, and there was Boyton and Sheridan, he mentioned.

879. And Brennan?—No.

880. Now will you tell me, please, what you say his statement was about Brennan; repeat it?—He stated that there were some men it would be advisable not to let out.

881. Well?—Brennan was one of them.

882. Who else?—I do not know.

883. But you were discussing the matter?—Yes, we were discussing the matter, and I took the matter to Mr. Chamberlain, and we discussed it.

884. He said, "There are certain men whom it is not desirable to let out"?—Yes.

885. Did you ask him who they were?—Certainly, I had the names.

886. What did he say?—Who?

887. What did Mr. Parnell say?—He said there were some men whom it would be judicious not to let out.

888. Did you ask him who they were?—Yes.

889. What did he say?—He gave me the names.

890. Who were they?—One was Mr. Brennan. I do not remember the others.

891. Can you remember how many there were?—No.

892. More than two?—Yes.

893. You cannot remember the name of any?—I cannot remember the name of anybody except Brennan.

894. I think you said you discussed the matter with Mr. Chamberlain?—Yes.

895. Have you any memorandum which would enable you to fix the names?—No, because the bulk of the memoranda at the time were destroyed in 1883 at a time when there was a danger of a select committee being appointed by the House of Commons to inquire into the Kilmainham Treaty.

896. Did you destroy them?—I destroyed those which I had with the exception of a few which were kept by accident.

897. Do you suggest that that was Mr. Parnell's suggestion?—No, certainly not.

898. Or Mr. Chamberlain?—No, not Mr. Chamberlain's.

899. Or yours?—Or mine.

900. Whose?—It was suggested to me that it would be politically expedient that the utmost reticence on the subject should be kept.

901. By whom?—By Sir William Harcourt; he stating that it was the opinion of another person, Mr. Gladstone.

(*The President.*) I wish to say this is the first occasion on which there has been any manifestation of that kind. I must request that everybody must refrain from any exhibition of feeling of the sort in future.

902. (*Sir C. Russell.*) Was it then you destroyed them?—Yes.

903. Where?—No. 1, Albert Mansions.

904. How did that memorandum in your friend, Mr. Chamberlain's, handwriting escape the general conflagration?—A certain number of memoranda and letters were in another box which I did not find for a very considerable time afterwards. These are they, but there are very few of them. All my records of the treaty were destroyed.

905. Perhaps they are the most important of them. You do not know?—No; certainly not to me. They are not the most important to me.

906. I do not see what importance they can be to you. Now, I am upon the question of motive. Will you repeat that statement, please. My learned friend asked me to ask, will you repeat that statement about Sir William Harcourt?—Yes; there was a danger that the Government would have had to agree to the appointment of a select committee of the House of Commons to inquire into the Kilmainham Treaty, and I was informed by Sir William Harcourt that it was Mr. Gladstone's wish that I should be as reticent as possible on the matter; that it was politically expedient, as I put it just now.

907. Is that the whole thing?—Yes; that is the whole thing.



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[Continued.]

908. And upon that you destroyed them?—Upon that I destroyed them, and other documents were destroyed also.

909. Now you have told us the whole thing?—Certainly.

910. Can you remember being a gabbler, or babbler; that you were warned to be reticent?—I beg your pardon.

911. Why did he come to warn you to be reticent?—That you had better ask Sir William Harcourt.

912. Will you take this in your hand, please?—Before I go any further there is a correction I should like to make, if you will allow me, my Lord.

913. (*The President.*) What is it?—On thinking over some of the questions of Sir Charles Russell, put to me just now, I think I spoke too positively, because it has come back to my mind that it is possible that Mr. Parnell did speak about a possible refusal of Mr. Davitt to accept a ticket-of-leave on the Thursday on which I went to Sir William Harcourt about his release standing over till the Saturday.

914. (*Sir C. Russell.*) Now that you have recollected that, was that the reason which was given for postponing his release?—The reason that was given for postponing his release was that Mr. Parnell should have the opportunity of going down to Dartmoor.

915. Yes, but I mean, now that you have thought over the matter, was it with a view to meet a possible objection on Mr. Davitt's part in the direction you mentioned?—Well, it is possible that that was one of the reasons. Of course I believed that the real reason was that he wanted to see him first.

916. I am not asking you that. I am asking you for Mr. Parnell's statement of his reason?—That was the only one.

917. As a reason?—I am not certain he did not mention that as a reason, but I am certain that was not the only reason.

918. Did he give any other reason?—Yes, the same reason he gave with regard to the others, that he wanted to see them first.

919. Did he explain to you his purpose then in desiring to see them first?—Yes, it was a very natural one, that he should speak over the politics of the time and of the day with so important a man in Ireland as Mr. Davitt.

920. To get his assent to the change of policy?—Just so.

921. Have you said in reference to these negotiations of your own that you were led to expect that you would be made Chief Secretary of Ireland?—No.

922. Have you said Mr. Chamberlain had promised you would be?—No.

923. Or had intimated that you would be?—If the Local Government scheme had been adopted, the thing was talked of.

924. I think there was also some idea of a baronetcy, was not there?—No; I never heard of the thing before, except some scurrilous speaker at Galway said something about it.

925. Except what?—I said I never heard of the thing, except some scurrilous speaker at Galway during the Galway election said so.

926. That was the only reference ever made to that subject?—I never made any reference to it myself and never heard any other reference that I remember.

927. Now, on the morning after the murder in the Phoenix Park you saw Mr. Parnell?—Yes.

928. You have corrected one serious misstatement that was attributed to you in that matter, namely, it was stated by the Attorney General that Mr. Parnell was opposed to signing the manifesto?—Yes.

929. That is not true?—It is an absolute mistake. It was a mistake as I said just now. He did not object to signing the manifesto.

930. On the contrary, did you not know that Mr. Parnell was so stunned and shocked by that occurrence that he was contemplating retiring from public life altogether?—I took his letter to Mr. Gladstone that morning offering to retire from public life.

931. And you knew enough of the political situation to know that a more cruel blow at his policy and at the interests of the people whom you were representing in Parliament could not have been struck than that?—So I considered it.

932. And consider still?—Certainly.

933. How many letters have you received from Mr. Parnell altogether, do you think, in the course of your life?—I do not know, I am sure.

934. Half a dozen?—Oh, yes; a great many.



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[Continued.]

935. How many would you say, Mr. O'Shea?—I no not know, but a great many letters.

936. Would you say you have received a dozen?—Oh, yes, a great many more.

937. Have you got them?—No, I very seldom keep any letters.

938. Have you half a dozen?—No.

939. Have you any?—Yes, I have some, yes; oh, yes, I have some letters of his, certainly.

940. How many?—I do not know. I cannot tell you, but I have got several letters.

941. Two or three?—Yes, more.

942. Four?—I do not know. I have got large boxes of papers. I very seldom keep letters, but papers accumulate in some way and on looking through——

943. You say you have received a dozen or more?—Certainly.

944. I am putting these letters upon instructions?—Certainly, an immense deal more.

945. How many can you say?—I really cannot tell. I was on most intimate terms with Mr. Parnell for many years, for several years; but the idea of talking about a dozen letters is absolutely preposterous.

946. You mean the number was much in excess of that?—Much in excess.

947. When were you first asked your opinion about the handwriting — On Wednesday.

938. By whom?—I went to Mr. Soame's office, and I was there shown them.

949. With whom did you go?—I went by myself.

950. By whom were you shown them?—I was shown them by a gentleman in the office. I think it is probably his managing clerk.

951. You had not seen the originals before?—Never seen the originals before.

952. None of them?—None of them.

953. I would like to ask you this general question. You began by saying you were not an expert in handwriting?—Yes.

954. Do you see any sign of any attempt at concealment in the character of the handwriting, or do they all occur to your mind as being natural and genuine signatures?—The handwriting of the body of the letter or the signatures?

955. No, I am only talking of the signatures at present?—No; I repeat again I am no expert, but I do not see anything. I consider they are in Mr. Parnell's handwriting.

956. Have you a strong opinion about that?—Yes, I have got a very strong opinion on the subject.

957. That they are?—Yes.

958. Did you feel equally strongly about all of them?—I observed the differences.

959. Will you just take them in your hand, and tell me which of them you think, or if there is more than one, select those out of the batch which you think are?—I had no intention of giving any evidence with regard to these letters at all.

960. I was not asking you that. Do you recollect my question?—No; I do not recollect your question.

961. My question was, did any of the letters, and, if so, which, strike you as being more clearly like Mr. Parnell's handwriting than any others, or is your evidence equally strong as to all?—I believe they are all written by Mr. Parnell, but really I am no judge. I mean that if these letters had come to me I should say they were written by Mr. Parnell.

962. Very naturally; but I am asking you, does it strike you that there are any as to which you would have a stronger opinion that they were his than others, or is your opinion equally strong about each of them?—No, I think they are written by him; I cannot say more than that.

963. You have said that several times. That is not my question?—How can a signature be more like——

964. I should have thought very clearly?—Perhaps you will explain it.

965. If you cannot answer it I will proceed?—Yes.

966. My question is, are there any of those signatures which appear to your mind to be more strongly like his writing than others, or are they all equally like his writing?

(The President.) Allow me to suggest another form. Are there any concerning which he has any doubt—sees any reason in the signature to doubt?



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[Continued.]

(*Sir C. Russell.*) I will put that too, but I prefer an answer to the other also.

(*The President.*) Your own question referred him to an imaginary standard.

(*Sir C. Russell.*) That is true, the standard which each man forms in his own mind.

967. What do you say?—Well, I do not know, because if you look at the letters one letter is a little longer than the other, and as I say I am no expert.

968. I am not going really to trouble you with minute criticisms at all?—Very well, I think they are in his handwriting, I cannot say anything more than that. I wish the question had never been put to me.

969. Does any of them strike you as being more unmistakeably in his handwriting than any others?—They are not all even of course. I understand your question, but my difficulty is how to answer it. If I say, as the case has been unfortunately put before me, that the handwriting of these letters is the handwriting of Mr. Parnell, I cannot say more.

970. I will only repeat the question once more. It may be difficult to answer. Do they all seem to you to be equally unmistakeably in his handwriting, or are there any of them which strike you as more clearly so than others. That is all I want to know. If you cannot answer it I will go on?—I cannot answer it. They seem to me to be in his handwriting. I wish the thing had never been put before me.

971. Do you recollect the appearance of the facsimile letter in "The Times"?—Yes perfectly.

972. Have you ever discussed with anyone how it could have got to "The Times"?—I have often spoken about it, but I never discussed how it could have got to "The Times" because I did not know.

973. No, but discussed how it might have got to "The Times"?—I have heard various statements made about it in conversation.

974. Tell us what those were?—I cannot really; it is impossible for me to tell.

975. What were the suggestions which you discussed, and made as to how it got to "The Times"?—Various theories have been propounded in the newspapers about it and have been talked over.

976. What were these?—Well, I do not know, but I do not know that——

977. Have you suggested any way yourself?—No, none.

978. Have you heard it suggested to whom the letter is supposed to be addressed?—There is one begins "Dear E."

979. That is suggested to be addressed to Mr. Egan?—Yes.

980. I am talking of the facsimile letter, "Dear Sir"?—I know nothing about it. I never heard it said who it was addressed to.

981. And have not suggested yourself to whom it might be addressed?—No, certainly not.

982. Never?—No. I want to tell you that at first when I saw the letter in "The Times" I did not think it genuine, not that I thought the handwriting was not genuine which I did but I did not think the letter itself was genuine.

983. Then what was your idea then about it?—My idea was that if you tell a correspondent to show a letter to a man and do not tell his address it seemed rather insulting the man it was to be shown to. That was the only thing.

984. It sounds for other reasons odd, but I will not argue that now. Did you suppose the signature had been obtained and the letter written above it?—No, I did not know anything about it.

985. Then why did you not think it genuine if you believed it was his handwriting?—I knew the body of the letter was not his handwriting.

986. But why did you believe the letter was not genuine?—Only because I could not understand how a man should say, "You may show him this, but do not tell him my address."

987. I think it is odd, I agree?—That is all.

988. Is that the only reason why you did not think it was genuine?—That is the only reason.

989. Although you had no doubt, although you believed it was his handwriting?—Although I had no doubt about the signature.

990. I mean about the signature?—Yes.

991. Could you give us any suggestion as to the body of the letter?—No.

992. Or the body of the other letters?—None.

993. None of them?—No.



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[Continued.]

994. Do you know Mr. Campbell's handwriting—Mr. Parnell's secretary?—I have often received letters from him about a meeting of a company of which you and I are directors.

995. The Land Company?—The Land Company, yes. But I have not got any of them.

996. Migration Land Company, was it not?—Well, you were a director; you ought to know your own business.

997. You have often, then, been familiar with his writing?—Yes.

998. Take these in your hands and tell me whether the body of those letters are in your opinion, Mr. Campbell's handwriting?—I do not know.

999. Look at them?—I have looked at them. I cannot tell whose handwriting they are in.

1000. Just turn them over and look at them?—Are you speaking of all these letters?

1001. All and any one of them. Can you tell me whether any of them are in his handwriting?—As well as I remember Mr. Campbell's handwriting I cannot say anything of the kind. I do not remember it well. I have not seen his handwriting for a long time.

1002. Then as to that you can express no opinion?—I know nothing about it.

1003. There are one or two other points, I think, I want to ask you about, which I don't know that we have clearly, one of them certainly not. You say that Mr. Parnell asked you to get police protection for him?—Yes.

1004. For himself?—Yes.

1005. Are you sure about that, Captain O'Shea?—Absolutely certain.

1006. Did you not get police protection for your own house?—Yes. But I had to ask at Mr. Parnell's request for police protection for himself from Sir William Harcourt.

1007. Did not you get police protection for Albert Mansions?—Sir William Harcourt told me that —.

1008. Will you answer my question. Did not you get police protection for yourself?—Yes.

1009. Do you suggest that, beyond watching your house, where Mr. Parnell was staying with you, that Mr. Parnell was watched or followed by police?—Certainly.

1010. Followed by police?—Yes. Besides, I say Sir William Harcourt told me he would have him protected by police.

1011. Police in uniform, or detectives, which, or do you know?—I did not ask. What I asked for was police protection for him, and I was promised for him.

1012. And did you ask at the same time for protection for Albert Mansions?—Yes.

1013. Where you lived?—Yes.

1014. He did not live there?—No.

1015. Then these three things I understand: You asked police protection for your house at Eltham, personal protection for Mr. Parnell, and police protection for your rooms, or whatever they are, at Albert Mansions?—I do not know about police protection for my rooms at Albert Mansions, but I was promised that I should be looked after.

1016. You recollect the discussion in the House of Commons as to the purport of certain discussions that you had had with Mr Forster?—Yes.

1017. It is suggested to me that you had police protection in 1886 for Albert Mansions, for your house, or your rooms?—Not that I know of; but one does not know what they do.

My Lords, I read this letter that it may be on the notes in connexion with this evidence. There is no copy of it. We will have a copy made and handed in. [To Mr. O'Shea]. This is your letter of explanation which you wrote to "The Times" newspaper; this is in "The Freeman's Journal."

(The Attorney-General.) What date?—

Sir Charles Russell.) The 18th May 1882. It appears in the paper of the 19th. It is in "The Times" of the same day I fancy.

(The Attorney-General.) You are reading from "The Freeman's Journal" I understand?

(Sir Charles Russell.) Yes.



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[Continued.]

[The document was put in and read, and was as follows.]

" To the Editor of "The Freeman,"

" SIR,

" House of Commons, May 18.

" LEST there should longer in the public mind be the slightest misconception as to my repudiation of Mr. Forster's public version of my private conversation, I beg that you will insert the following statement :—

" ' My assertion that I had been in frequent communication with him, Mr. Forster has had the coolness to describe as incorrect. I retort that, besides previous communication, I talked the whole situation over while walking with him from the House of Commons to the Irish Office, and while standing outside the latter building on Wednesday the 26th April. On Friday the 28th, I walked with him from the Irish Office through the Park to Downing Street, stopping several times on the way as men often do when in earnest conversation. Amongst the matter of our discussion was a foolish answer which he had drafted to Mr. Cowen's question respecting the imprisoned members, and which he was fortunately not allowed to give in the House of Commons. I had another conversation, a short one, with him later in the day at the Irish Office, and a third interview of same length in his room in the House of Commons, to which I was invited by him through the Irish Solicitor-General. During this last one he suggested the best plan for visiting Kilmainham unostentatiously. But I confess he appeared nervous and demoralised, and I was obliged to point out and make him correct an extraordinary error in the letter which he handed me, addressed to Captain Barlow, Deputy Chairman of the Irish Prisons. That error was nothing less than the substitution of another name for mine in the order for special facilities, which he had just written. The order must be in Captain Barlow's possession. Let it be produced, for Mr. Forster's worst enemy cannot suggest its being concocted ' "—

This is the part that I am reading the letter for.

" Now as to the memorandum, alleged by Mr. Forster to represent my conversation with him on the 30th of April. In it he informed the Cabinet that I had used the following words: 'The conspiracy which has been used to get up boycotting and outrages will now be used to put them down.' The following are the facts. I myself know nothing about the organisation of the Land League. But I told Mr. Forster that I had been informed by Mr. Parnell the day before that if the arrears question was settled, that organisation would explain the boon to the people, and tell them they ought to assist the operation of the remedial measure in the tranquilisation of the country. I added that Mr. Parnell had expressed his belief that Messrs. Davitt, Egan, Sheridan and Boyton, would use all their exertions, if placed in a position to do so, to advance the pacification, and that Mr. Sheridan's influence was of sufficient importance in the west owing to the fact that he had been the chief organiser of the Land League in Connaught before his arrest, while Mr. Boyton had held a similar appointment in the province of Leinster. On these points I heard no more, I know no more, and I said no more. Your obedient servant William Henry O'Shea."

1018. That is correct?—Correct.

1019. You will bring the testimonial to-morrow morning, I think you said?—Yes, I said I would give it to your Lordship to-morrow.

(The Attorney-General.) I have no questions to ask Mr. O'Shea.

Examined by Mr. HEALY.

1020. I just wish to ask you one question? You were opposed at Galway I think by some members of the Irish party?—Yes.

1021. You went down there on the Saturday?—Yes.

1022. Do you remember beginning operations in the "Freeman's Journal," announcing yourself as a candidate there?—Yes.

1023. And by the next train you were followed down by certain Irish members?—Yes.

1024. Who were they?—You and Mr. Biggar, if I remember right.

1025. We immediately addressed meetings against you?—Yes.



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[Continued.]

1026. Several?—Yes.

1027. And attacked and denounced you in every way in our power?—Yes.  
(Mr. Healy.) That is all I wish to ask.

WILLIAM IRWIN, re-called, examination continued by Mr. Murphy.

1028. Have you got the transcript we were reading last evening?—The secretary has it.

(Mr. Murphy.) This, my Lords, is the speech of the Rev. Mr. Consodine, curate, which we were reading last evening, at a meeting at Craghwell, of the 12th December 1880.

[The following document was put in and read, and was as follows :—]

“ Father Consodine, P.P., who was received with cheers, came forward and said :—

“ I shall begin my observations by giving you all a cordial welcome to a land meeting, which will be held in Lebane on next Sunday, to forward the cause of the tenant freedom. I am glad to see you all once again, my friends, my fellow countrymen, I am proud to see your manly, honest, Irish faces, they are not the faces of the murderer, they are not the faces that our enemies picture them, they are not those hideous faces that the English papers would describe them; no, they are brave, noble, manly, handsome, Irish faces that betoken and point out to us the brave Irish hearts that beat in your bosoms. I am proud as an Irishman, as one of yourselves. I am proud to see that your enthusiasm is increasing day by day, that enthusiasm like the Atlantic shall sweep bad landlordism and all the other isms and everything that degrades the Irish people. What is your enthusiasm like? It is like the lightning from Heaven. You are the men whose God, and our faith, and our country can depend on; you are the men who in time of sorrow, in time of blood and tears, will do your duty—(Voices, ‘ We will ’)—and will never be found wanting (Cheers.) The men who stayed away to-day and are absent from this meeting are not made of the stuff that you are made of. You are the men who by weal or woe will stand by Ireland’s cause. (Cheers.)

“ I am proud to see you, but I am particularly proud to see the men of Killenadana here. The men of Killenadana and Athenry, those brave men who have conduced so much, and brought strength to the cause of freedom, those men who were first in the fight and were ashamed to lift the green branches high. (Cheers.) Those men who have fought in the cause of God, because its a cause of justice, and I say its the cause of the God of Heaven, and why is it? because it is the cause of the afflicted people and it is the cause of God Almighty himself. (Cheers.) 13 years ago, my friends, I entered upon my first mission in the parish of Oraughwell, and oh, my countrymen, what a change has come over our people since that time. During my first year here we had the memorable Fenian movement, and mind you it was a remarkable thing—(a voice : ‘ cheers for the Fenians,’ responded to). Yes, my friends, cheers for the Fenians—(loud and prolonged cheering), and for every brave man who does his duty towards Ireland. (Cheers.) The Fenian movement, like many uprisings of down-trodden people, was a failure, but it was a protest of a people’s hatred to iniquity, a testimony of oppression and wrong, and raise your voices against oppression and tyranny (cheers). (A voice : ‘ Long life to them.’) Amen. Now, it is an extraordinary thing that this Ireland of ours can never be crushed. Now, for the last 700 years we have Coercion Acts, Peace Preservation Acts, and Arms Acts, and it was never crushed. 700 years iron rule, 700 years of coercion, and Ireland’s nationality is not crushed. (Cheers.) And, my friends, eternal disgrace will be the portion of the country, who after 700 years, have nothing to offer the Irish people but a Coercion Act. I don’t say that all the English people would re-echo it, but I say there is a large section of the people backed up by Irishmen who would have nothing for us but coercion. (Groans.) This, I say, after 700 years, must we be kept down by sword and buckshot (voices : ‘ No.’) Ought not this teach the English people that you will not be kept down by coercion is they have eyes to see. John Bright, honest, just,



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[Continued.]

“ indomitable John Bright has said Ireland is not to be put down by force, it is  
 “ not to be put down by coercion, John Bright is an honest man, he is not like  
 “ the obscure numskulls——

(*The Witness.*) Obtuse.

(*Mr. Murphy.*) You are quite right.

“ Obtuse numskulls who can never learn anything at all. (A voice: They can learn  
 “ the thing they don't want to learn, but we will teach them. Cheers.) My  
 “ friends and fellow countrymen, there is not in the history of the world a more  
 “ glorious chapter than Ireland's struggle for nationality. I will open a page and  
 “ read that Ireland will not be crushed. I will read for you the history of Henry  
 “ the Eighth, the persecutions of Elizabeth, of James and William, and the rest,  
 “ and the cruelties of Cromwell. (A voice: Groans for him, responded to.) Mind  
 “ you, my friends and countrymen, everything that the devils can suggest are  
 “ tried for our country. The devoted people and the faithful people never  
 “ gave up their worship of the true God, and never gave up their country.  
 “ They fled into the rugged mountains and caves. Now, my friends, in  
 “ reading that part of the history you are aware that every torture that  
 “ they could conceive was tried, and all of no avail. My friends, the safety  
 “ of Ireland was that Ireland's faith and nationality were one. (Cheers.)  
 “ Then, my friends, that is the history and the page that John Bright read.  
 “ Our history is green grass made red with Irish blood, this is the page  
 “ that John Bright read, and he said Ireland is not to be kept down by force.  
 “ And I say the same, and Ireland is not to be governed by coercion. (Cheers.)  
 “ Now you are brave men, now you are free men, now you are full of enthusiasm,  
 “ and will sweep before you everything that will cause persecution. Too long,  
 “ my friends, did you bend beneath the yoke of landlordism, too long had you  
 “ the heel of that upon your necks, too long were you the wheat of which the  
 “ landlord made his bread. You were the sheaves that were cut down . . .  
 “ but you are determined not to give your harvest away. (Voices, 'True cheers.')  
 “ Now, I have been asked to second your resolution, and that resolution embodies  
 “ everything so thoroughly and so entirely that I am proud to be asked to second  
 “ it. That resolution asks you to approve of the Land League, asks you to  
 “ carry out the principles of the Land League, and you would be the most craven  
 “ wretches if you did not carry it out. I tell you that the wretch who has  
 “ not joined the League, that that man deserves to go down to the cold, dead  
 “ damnation of disgrace. (Cheers.) You are the people upon whom the country  
 “ depends, not on the wretches who would be glad to reap the fruit of your labour  
 “ without trouble, who are afraid of the landlord's power, or the bailiff's sneer,  
 “ and it is a pity they should ever reap the benefit. What has the Land League  
 “ done for you? it has kept hundreds of thousands of you from the grave, it has  
 “ kept thousands of you from exile perhaps from a coffin-less grave. I  
 “ has kept you with roofs over your heads, and that is the benefit the Land  
 “ League has conferred upon you—(cheers)—and I wish that my words like  
 “ swords would pierce your very souls. I wish I could speak swords  
 “ that would pierce your very hearts and make every man and woman in  
 “ the country join the Land League. It is the grandest movement; join  
 “ the Land League every one of you, let every man become a preacher of  
 “ the Land League, whether in public or not. Let nothing escape from  
 “ your lips but the Land League principles. Now what has the Land  
 “ League done? It has wedded the Irish people into one mass, it has  
 “ made you more than brothers, many a time a brother imbrued his hands  
 “ in a brother's blood about land. Now no man will take land, and thanks to  
 “ the Land League that has wedded you in one solid mass. And now my friends  
 “ I say that you ought everyone of you go forth, apostles at home, in the markets,  
 “ in the fairs, stick together, prepared to die or fall, stick together and if you  
 “ find any man among you brought away, let that man's name be known only to  
 “ be shunned and despised as a renegade Irishman. If I had the voice of a thou-  
 “ sand men I think the noble cause of the Land League worthy of my ablest  
 “ lay. Like the masons stick together. I would cut off my brother for a land leaguer.  
 “ I am a land leaguer myself and I say every Irishman ought to be a land  
 “ leaguer, its a noble work, its God's work. And now in conclusion I will say to



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[Continued.]

“ you work for the Land League, the harvest is ripe, put in your sickles and reap  
 “ the harvest conferred in abundance ; freedom from landlords’ rule ; join the  
 “ Land League, brother Irishmen, and if you do my friends you will hand down  
 “ to your children and their children will bless the name of Parnell and bless the  
 “ name of Davitt, and the generations yet unborn will bless those names, who left  
 “ to the nations yet unborn happy Irish hearts and homes.”

(*Mr. Murphy.*) Then I think, my Lord, the next is a meeting on the 19th December at Ahascragh.

(*The President.*) The responsibility must rest with you, Mr. Murphy, but that speech does not seem to contain much that is of importance. I mean with a view, you know, to future classification and elimination.

(*Mr. Murphy.*) The difficulty we have felt in this case is its being suggested that the extracts we were furnished with were not fair extracts.

(*The President.*) That is quite another branch of the subject, but this is an entire speech. There are some phrases perhaps in it.

(*Mr. Murphy.*) Until to-day we have had no opportunity of really seeing the speeches *in extenso*, and it is that alone that prevents me from falling in with the suggestion of the Bench which I will certainly bear in mind.

(*Sir C. Russell.*) Perhaps I may be allowed to point out to your Lordships that it is important to see these other speeches ; for this reason, that you do not get what is the general character of the meeting, because what I may call for this purpose the “ objectional plums,” are picked out, and you do not get the general tone and character of the meeting, merely because some person with not very many brains in his head, and some fluency, and perhaps some dangerous fluency on his tongue makes a speech.

(*The President.*) All that is very true ; we shall not forget that. I am only endeavouring to save time.

(*Sir C. Russell.*) I did say before, and I am afraid I am repeating a tedious reiteration, but I do not wish to repeat once for all that if we could be furnished with the copies of all the speeches at this moment, I will not ask my learned friend to read any part of any speech or any speech he does not like, or any speech, provided we can present to your Lordships the picture of the entire thing.

(*The President.*) I shall be exceedingly glad if some such arrangement could be come to. It will leave it open to you to call attention both to the qualifying speeches and the qualifying expressions in the individual speeches.

(*Mr. Murphy.*) I am in hopes of the future ; certainly not to-morrow, because we shall have no opportunity of going over them, but that in the future we shall be able to fall in with some such arrangement. It could not have been done before to-day, because it is only to-day we have received the speeches *in extenso* in any shape in which they could be shown. Your Lordships will, I am sure, understand that we not merely understand the intimation of the Bench, but as far as we are able to do it, we will see that it is carried out. For instance, the next meeting I am going to read, I really have not the full speech yet, and therefore I am not able to give it.

(*The President.*) We shall not waste much time.

(*Mr. Murphy.*) No. I am afraid, from what I have seen of them, all the speeches are rather long. This was read by the Attorney-General at page 40 on the same day. I think at this meeting there were present amongst others Mr. Griffin, or Galvin ; which is it ?

(*The Witness.*) The Rev. Mr. Galvin.

(*Mr. Murphy.*) And also Mr. Matthew Harris and several other gentlemen whose names I need not trouble your Lordships with. I propose to read Mr. Griffin’s speech first.

[*The document was put in and read, and was as follows*] :—

“ Thomas Griffin, who was received with cheers, came forward and said :—  
 “ Reverend chairman, ladies and gentlemen, I have the honour of proposing,—  
 “ ‘ Resolved, that we shall accept no settlement of the land question as final or  
 “ ‘ satisfactory that will not make the tillers of the soil the owners thereof, then  
 “ ‘ we pledge ourselves to pay no higher rent than Griffith’s valuation.’ My  
 “ friends, after the warm reception you have given me, it is with feelings of pride  
 “ and pleasure I accepted the invitation of your committee to be here to-day. I  
 “ have no reason to complain, as far as the warm reception you have given me.  
 “ My friends, after that eloquent denunciation, my words indeed will fall heavy



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[Continued.]

“ on your ears, but if I had the eloquence of Father Galvin I could tell as many  
 “ stories about landlordism in the parish I came from. Indeed, we can't boast of  
 “ having much good land in it, but whatever was good in it was taken to make  
 “ room for the Bullocks. Landlordism is the curse of this country. It has  
 “ driven many of the people across the Atlantic, where Heaven knows what sins  
 “ they have fallen into, where there are so many temptations. (It's true.) And I  
 “ say landlordism is culpable for their deeds. If not, then there is neither  
 “ culpability nor responsibility. Is it any wonder, my friends, that you should  
 “ now at last rise up to abolish that system for ever. Is it any wonder that you  
 “ should meet to abolish that system. Is it any wonder that you would compel  
 “ them to give a peasant proprietary. My friends, if you go on as the people  
 “ have been going, there is no doubt but you will get a peasant proprietary. The  
 “ resolution tells you never to pay a higher rent than Griffiths' valuation. You  
 “ are all aware that Griffiths' valuation was made for taxation, it was not the land  
 “ alone, but the improvements were valued, now it is not alone that I would ask  
 “ you to pay no more than Griffiths' valuation; but I would ask you to calculate  
 “ the value of the houses yourselves and your fathers and grandfathers have  
 “ built and deduct it. I am sure there is something in that, well, if you go on in  
 “ that way, and let all the tenants on every estate come in a body to the landlord,  
 “ if you come and stick together and stand before his office window, and tell him  
 “ to come out, and know what did he bring you up there for, was he to give you the  
 “ land at Griffiths' valuation? If not, keep the money safely in your boxes,  
 “ or the bank if you choose to keep it there, and I tell you it is impossible  
 “ for one landlord to crow over his tenantry. (Cheers.) Even if he had  
 “ all the British bayonets at his back. Now, what I would suggest is,  
 “ any man who would act otherwise. (A voice: 'Boycott him.') No I  
 “ would suggest first that they be brought before the local branch of the Land  
 “ League, and fined very heavily for their misbehaviour. (Cheers.) Well, if  
 “ they made restitution I think you could forgive them. Now, I will give you  
 “ an instance of what occurred at Gurteen on yesterday. There were four  
 “ tenants on the property of the late Major O'Reilly. They were four tenants  
 “ who paid more than Griffiths' valuation. Well, we summoned them to appear  
 “ before the Land League executive. They came as submissive. They told us  
 “ they acted in ignorance; one was fined 4s., another 3s., another 2s., another 1s.  
 “ They were fined what they were over the valuation. But he was not content  
 “ with that. He asked them to write a letter to their agent, and demand the  
 “ money they paid above the valuation, and to tell him if he did not return the  
 “ money they would stop it from the valuation next year. Now, we consider  
 “ that better than boycotting, because we expect to have a case or two in that  
 “ quarter shortly, and we don't wish to give the landlords satisfaction to have  
 “ company. (Cheers.) As there are many speakers to come after me I won't  
 “ detain you. I ask you all to join the Land League. You need only follow that  
 “ noble man Charles Stewart Parnell. Only for him organisation and public  
 “ opinion in Ireland would be in the same state to-day; there would be as many  
 “ turned out this year as there was in '47 or '48. Now, my friends, I think that  
 “ is sufficient to show why you should all join the Land League, and subscribe  
 “ liberally for those 14 men who are going to be placed before a jury next week.  
 “ It would be ingratitude if you did not subscribe. They were determined to  
 “ pursue the course they were pursuing for the last 12 months. (Cheers.)”

1029. Do you know what the 14 men who are alluded to here were charged with doing?—I believe that they were charged—

(*Sir C. Russell.*) Does he know?

(*Mr. Murphy.*) Forgive me, Sir Charles, he was going to say—

(*Sir C. Russell.*) He began by saying, “I believe they were charged.”

1030. (*Mr. Murphy.*) Do you know of your own knowledge?—They were charged with conspiracy.

1031. (*Sir C. Russell.*) Do you know of your own knowledge?—Yes, Sir Charles, I was present at the trial.

1032. (*Mr. Murphy.*) What were they tried for doing?—Conspiracy, at the State trials.

1033. Conspiracy of what?—General conspiracy; the State trials.



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[Continued.]

1034. (*Sir C. Russell.*) It is a State trial your Lordships have not heard of yet.  
 (*Mr. Justice A. L. Smith.*) What is the date of this speech?

(*Mr. Murphy.*) 19th December 1880.

1035. (*Sir C. Russell.*) I think he cannot be right in that, Mr. Murphy, because the State trials did not begin until January 1881?—There was a collection for the defence.

(*Mr. Murphy.*) Then there was Mr. Matthew Harris's speech. [*Document put in and read and is as follows.*]

" The Chairman came forward and said:—Matthew Harris, the future Member for Galway, will address you.

" Matthew Harris, who was received with cheers, came forward and said,—  
 " Reverend chairman, ladies and gentlemen,—I accept the compliment our  
 " worthy chairman has paid me. I shall feel it a very great honour indeed to  
 " represent the noble, patriotic people of Galway, when we have our Irish House  
 " of Commons in College Green; but, my friends, though it might be in my  
 " power to get into the English House of Commons, I should consider I was  
 " degrading myself as an Irishman if I entered that house. (Cheers.) I feel  
 " great pleasure in meeting the men of Ahascragh and the surrounding country  
 " here to-day, and I am happy to see that it is not composed of one sect; to-day  
 " on this platform Protestants and Catholics commingle together. I am happy to  
 " see my friend Mr. Burke from Ballyforan here (cheers for Mr. Burke, cheers,) and I recognize many other sterling friends her to-day, and I tell you though  
 " we have done a great deal more than ever has been done before, our work  
 " would be simply nothing if we had not our Protestant fellow countrymen with  
 " us. I am doubly proud to see such a large meeting. Hitherto the people of  
 " this locality were . . . . .

1035. There is a word left out here?—It is a word I could not catch.

" (*Continuing reading.*) What they would tell you my Lord Clonbrock might  
 " feel offended at it, and another would tell you that Mr. Mahon might feel  
 " annoyed at it, and another, oh, the Church is not in favour of this movement.  
 " Well, we don't want sneaking men. We have to-day upon our platform our  
 " worthy clergyman, which is clear proof that the Church is for us. It has also  
 " been said, my friends, that there are good landlords in this locality. Well, now  
 " I don't want to contradict that saying, and I would be very sorry indeed, I  
 " don't want to bring public odium upon good men, but I want to crush down bad  
 " men, and it was a mistake on the part of the tenants of Lord Clonbrook  
 " and Mr. Mahon to think that we were coming here to denounce any  
 " man. We came here to stand on our legs as Irishmen (cheers), but we did not  
 " come here to hound down any good man, because, my friends, we have enough  
 " of those vile exterminators. We have enough to denounce. Well, gentlemen,  
 " you are all aware of the state of public feeling. I tell you the answer I gave  
 " to that indictment, I am fond of my country. My friends, I saw there were  
 " other localities, and after consulting with the leaders of the Land League in  
 " Dublin I thought the best answer to give the Government (Voices, 'To  
 " organize the County Limerick') was to work on the Land League; the  
 " result is, my friends, that in the provinces—in Munster, and in the province of  
 " Leinster, if you do not press forward you will find that they will go in advance  
 " of you. Gentlemen, you have here to-day a large number of the Royal Irish  
 " Constabulary, a most intelligent respectable body of men. Well, my friends,  
 " you know, we have lately heard of outrages from the Judges in the south  
 " and west, or from one judge I may say. (Groans.) Baron Dowse made a  
 " speech in Galway—all the heinous crimes, he enlarged upon every fact, and  
 " every figure that a man living in England, or in any foreign country, would  
 " think we were ready to devour one another, he would imagine that a man  
 " could not go to Ballinasloe without a bullet being put in him, and the very  
 " ground that these reports rest on are the Royal Irish Constabulary. (Groans.)  
 " Now, I don't want to condemn them in toto, but I tell you that among them  
 " are men who put down ten where one ought to go. There is a class of  
 " decent fellows who go about their duty and endeavour to prevent crime  
 " wherever they can; but, my friends, this is the misfortune of the case, and here  
 " I bring a strong charge against the Government. They had a warrant to search  
 " my house for arms, and they went and searched every document in my house.



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[Continued.]

“ A sub-inspector of the Royal Irish Constabulary, he went in and violated the law  
 “ in my father’s house; he induced me to write down, in order to get my hand-  
 “ writing; still, my friends, the sub-inspector (voices ‘Garrett’) is a county  
 “ inspector now; and the sergeant of the police who read my documents  
 “ is made a head constable. And I tell you a premium is held out to those men.  
 “ Now there was another charge made by Judge Fitzgerald, and one of the  
 “ charges was, that the people had taken a widow in the town of Askeaton, and  
 “ put her back into her place. This widow was a respectable lady, a woman of  
 “ respectable family, well reared. I was in the town of Askeaton that night.  
 “ This widow was living in a deserted place where the rain was teeming down,  
 “ and where the wind was blowing; and I ask you, my friends, was it not a  
 “ heinous crime? Could anything be bad enough for those who brought this  
 “ poor widow, who provided food for her, who would do everything that a great  
 “ and good man would do? But Judge Fitzgerald has enumerated it as one of the  
 “ heinous crimes. (Voices “It’s not.”) I know Judge Fitzgerald well. He is a  
 “ sweet plant, an oily tongued man. There is the oil that . . . . .”

1037. What is the word?—Curtails.

[Continue reading.]

“ There is the oil that curtails, and the oil that destroys. He is a plant, a  
 “ sugary gentleman. to put the case of the Government against the people.  
 “ (Groans.) He enumerated in the charge that the generous good-natured people  
 “ had restored the poor widow. Now, my friends, long may ye continue to violate  
 “ Judge Fitzgerald’s charge. The resolution which has been read to you  
 “ mentions that the poor people’s dogs have been poisoned. Well, my friends,  
 “ there has been a great deal said about boycotting. It’s the people that’s boycotted.  
 “ They are boycotted in every direction, and yet when we try the same rule they  
 “ have been trying against us . . . . . Gentlemen, I shall not detain you  
 “ any longer at this late hour, my friend Mr. Kilmartin will address you. (Cheers).”

(Mr. Murphy.) That is the whole of the speech.

Then the next meeting is at Ballygar, 31st January 1881.

(Sir Charles Russell.) You do not read the Reverend Coburn Galvin’s speech?

(Mr. Murphy.) No, I have no copy of it. This is Mr. J. McDonald’s.

(Sir Charles Russell.) Have you got a note of the Reverend Mr. Galvin’s speech?—  
The transcript of the speech is here.

(Mr. Murphy.) I have it now. The witness handed it to me this moment.

(The President.) It was Griffin and Harris’s speech that was read. Galvin’s has not  
been read.(Mr. Murphy.) In almost all the cases to-day there were speeches which were not  
read by my friend the Attorney-General, and it is competent for my learned friend to  
have them if he wishes it.(Sir Charles Russell.) The witness says that the transcript of the Reverend  
Mr. Galvin’s speech is here. I do not want my learned friend to read it if he does not  
desire to, but I should ask to see it if it is here. Give me the bundle.

(Mr. Murphy.) I think there are as many as six or seven speeches in that transcript.

[The bundle of transcript was handed to Sir Charles Russell.]

(Sir Charles Russell.) There are several, I see.

(Mr. Murphy.) You ask for the speech?

(Sir Charles Russell.) I want to see all the speeches of which you have transcripts,  
which you do not think sufficiently important to read.(The President.) They are to be handed to you, Sir Charles. They will not take  
their place in the notes unless they are read.

(Sir Charles Russell.) No, not at all, unless they are read.

(Mr. Murphy.) If your Lordship will look at the bundle, handed to my friend, your  
Lordship will see it is pretty clear it was never intended to be seen.(Sir Charles Russell.) We are entitled to see it if you read it. You have read a  
speech from it.

[The bundle of transcripts was handed to the President.]

(The President.) Really I cannot undertake to read it.

(Mr. Murphy.) It is obviously, on the face of it, my Lord, a report made by  
somebody.

(The President.) So far as it is a report you are not bound to read it.



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[Continued.]

(*Mr. Murphy.*) That is all my friend asked for, the bundle of speeches.

(*Sir Charles Russell.*) I ask for the bundle containing the speech my friend does not read.

(*The President.*) The bundle of transcripts. They are not to show you what is practically their brief.

(*Mr. Murphy.*) It is not mine.

(*Sir Charles Russell.*) I want to know really what it contains, because it is important, my Lord.

(*The President.*) I am endeavouring to assist you. If you cannot come to an arrangement, which I hope you will with Mr. Murphy and those who are with him, you must wait till you cross-examine this witness, and then we shall see what it is.

(*Sir Charles Russell.*) Whenever "The Times" people have been furnished, as it is now admitted they have been furnished, by the Irish Office from the Government, with transcripts of the speeches, we ought to see the whole of the speeches as well as they.

(*Mr. Murphy.*) Sir Charles Russell has said "The Times" have been furnished with the speeches by the Irish Office. The witness has produced them.

(*Sir Charles Russell.*) I understand he went to the Irish Office, and asked to see the speeches of which extracts have been read, and he got them.

(*Mr. Murphy.*) The only things "The Times" has got are the extracts read.

(*The President.*) They got the evidence from the source, which that evidence would naturally be obtained from; and all you are now asked for is,—and I quite concur with Sir Charles Russell, I think it is desirable you should supply him with it,—is a transcript of the speeches; because it is obvious if there were other speeches made, or a speech made by the chairman which ran counter to the observations of other speakers, that must be taken into account; therefore you should furnish them. I do not doubt you will after this.

(*Sir Charles Russell.*) My friend handed me the papers.

(*The President.*) Yes, but those very papers cannot be handed to you because they are not actual transcripts, but reports on the speeches.

(*Sir Charles Russell.*) That is not quite so, my Lord, with great deference, my friend says there is a portion which is a report, but he does not say that there is not a transcript. If my learned friend will let me see the transcript, I will not see the report; but I do not know why you should have any better right to see them than I have.

(*Mr. Murphy.*) I have never seen them. I have neither read it nor looked at it. The witness will separate it.

(*Sir Charles Russell.*) It was the report of the speech I wanted to see.

(*The Witness.*) I cannot well detach it. It is written on both sides and it follows consecutively.

(*Sir Charles Russell.*) I won't make any remarks or read it if you cannot detach it; but why we should not see the report I do not know. The Government do not consider it in any sense confidential.

(*The President.*) I am not deciding the point. If you desire it, Sir Charles, it must wait till cross-examination; and then you will get anything from this witness that you are entitled to have.

(*Sir Charles Russell.*) My Lord, that is undoubtedly so. One does not complain of that.

(*The President.*) You do not quite follow me. You seem to assume that it had been said or intimated by me that you were not entitled to those reports. I do not know whether you are or not.

(*Sir Charles Russell.*) I can assure you I was not referring to your Lordship. My learned friend seemed to treat it as a matter I was not at liberty to see.

(*Mr. Murphy.*) On the contrary, the question was not discussed, that is what I say. It was claimed as a right, and I stated that there was a report in it which, on the face of it, you ought not to see.

(*Sir Charles Russell.*) My only objection was that if the Government thought it right not to disclose them, I have no right to see them; but if the Government do think it right, then I have a right to see them.

(*Mr. Murphy.*) It seems to be an attempt to make a grievance out of it.



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WILLIAM IRWIN.

[Continued.]

(*Sir Charles Russel.*) I have the greatest difficulty, and I say it again and again, to get what I want. It was only yesterday or the day before that O'Mally was to inquire whether there were any duplicate copies of these reports, and he said he would inquire whether they could not be furnished.

(*The President.*) I did not know it extended to reports other than reports of speeches.

(*Sir Charles Russell.*) It did not extend to other reports.

(*Mr Murphy.*) There is an end to making any concession in future.

(*The President.*) No, never say that.

(*Mr. Murphy.*) I should not like to make any concession.

(*Sir Charles Russell.*) I shall not ask for any concession.

(*The President.*) Let this cease.

(*Mr. Murphy.*) At Ballygar there are several speakers, and several speeches which were read by my learned friend the Attorney-General. This is one that was not read.

(*The President.*) Ballygar; Mr. McDonnell's speech was what you had come to.

[*The document was put in and read and was as follows:—*]

(*Mr. Murphy.*) "The chairman introduced Mr. McDonnell, who said: My friends, I have stood upon many a platform in both counties. I have, without being egotistical, I have assisted at most of the branches of the Land League in Roscommon and Galway. I have spoken strong. I am a determined man. The Government are now going to bring in coercion, but I never will retract a single word I have said. I have much honour in proposing this resolution: 'That pending the final settlement of the land question we are determined to ally ourselves more closely than ever to the Irish National Land League, and that all the tenant farmers of this district who have not already joined the Land League should do so forthwith.'

"Well I don't think it is necessary for me—you heard me on many a platform, and I always told you, and I tell it to you, that you would be the veriest serfs, if you didn't rise insurrection against the odious system of landlordism. What is it? What do they charge us with. Oh, my friends, God in Heaven, when I stand here, when I think on the bitter memory, when I think of the peasants, when I think that they are half-starved, and I know they are (a voice: 'They are'), what recollections occur to my memory? I say you are the veriest serfs if you do not denounce landlordism. I am a Nationalist. Before ever the Land League started I was a determined foe to British rule in this country. I am the same here to-day. I just take this means, because I have laboured from early morn to late at night in foreign countries to destroy that nefarious rule that has impoverished us, and I trust in God I will never die. I am a young man still, but I will never die in prison or in chains. I trust in God until it's all wiped away for ever. I stood yesterday in Taughmaconnell, I stand here to-day. I say Gladstone and Bright are opposed to us, and I say down with Gladstone and Bright (a voice: 'Down with them,' groans.) It only proves if you bring an Englishman to Ireland in an official position that moment he becomes a determined foe to Irish rights. (Groans.) So what I would tell you I stand here. I do not want you to face the mighty British Empire, but I want you stand shoulder to shoulder like brothers, and if you do the time is not far distant when it shall be swept away for ever. If you don't do that I would denounce and repudiate the name of an Irishman for ever. I do stand here to-day. I think you will join the Land League. Is there any man in this crowd who has not joined it? (Voices, No.) If there is, name him, and I say name him, and I defy the British Government to prosecute me afterwards. They never could get an honest Irish jury to convict a man taken up from the Land League, and I trust in God we will have honest Irishmen on the jury in every case; let them arrest us, and as long as I see men around me I will never falter—I will never—until landlordism is swept away for ever."

(*Mr. Murphy.*) There are other speeches, and if there any reports my friends will detach them and give them to Sir Charles Russell.

Then there is the county of Kerry, a meeting at Fenight, on the 25th September 1881. Father Murphy, the Catholic curate.

[*The document was put in and read, and is as follows:—*]

"Reverend Arthur Murphy, C.C. said: Men of Fenight, I really am in doubt whether it is a compliment to come here or not. I don't fully agree with



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WILLIAM IRWIN.

[Continued.]

“ Mr. Kelly. I think we have come here to the men of Fenight, who have turned  
 “ their backs upon the principles of Irish patriotism; it is a fact that there are  
 “ many true men here. I am sure the most of this parish, and even the majority  
 “ of the men of Fenight, have a bit of principle in them, and it is in honour of  
 “ them I have joined this movement here to-day. This spot is a famous spot, it  
 “ is an historic spot, it was over a place called Fenight. Whether it was this  
 “ Island or not, a white cloud appeared: there's a dark cloud over it to-day, but  
 “ the Land League will light through it, we will have the men of Fenight  
 “ struggling for free land, for the people of Ireland, and free Ireland for its  
 “ people; but there is another historical spot near you the other side where your  
 “ fore fathers went.

“ In Ireland over two hundred years ago, a parcel of robbers, a parcel of  
 “ hungry carpet bag beggars came over from England, and by chicanery, and it  
 “ was not by the sword, never were they able to take the land from us by the  
 “ sword, but by robbery they got the land from us, and please God we shall try  
 “ by all the means in our power to get back these lands.

“ It is laid down in Irish history that we, the people of Kerry, are descended  
 “ from either soldiers or slaves; some historians say, when they conquered  
 “ Ireland they sent here soldiers, or slaves, or whatever they were.

“ Fenight pronounces you are the descendants of slaves. (Cries of ‘no’)  
 “ Your conduct pronounces it (right). However I saw men coming over here to-  
 “ day marching in line with the bearing of free men and they were men coming  
 “ to redeem Fenight, and you Spa men who were not doing your duty, why this is  
 “ the most historic spot in Kerry.

“ The good men of Kerry were free men, but you proved they were slaves,  
 “ now they come here to establish the light of freedom, and please God you will  
 “ have the bearing of free men for the future. Well now I have to say to you  
 “ that you acted the part that I would not altogether approve of, in not giving  
 “ sufficient notice to Father O’Kieffe of this meeting (a Voice: “nonsense”)  
 “ . . . Kerry was the coursing ground of the Fenians, and the Kerry men  
 “ were bound together against the invaders; it was not in Kerry they made the  
 “ first impression, Kerry fought out to the last. Well referring to the Fenian horse  
 “ it reminds me of Father O’Kieffe, the man who drove the horse was called Gully  
 “ Baker, and he was riding this horse not like those steeds outside (this referred to  
 “ the horses under the ambulance waggons); it took them a very long time to come  
 “ up to the Fenian horse, and as they came up Gully Baker gave a touch to the horse  
 “ and he disappeared and got into a new land well we brought the Land League horse  
 “ here to-day, and the moment he gets a little touch the Spa people will beat the  
 “ whole of Kerry, and you will never discover until you have the land of free  
 “ men. It is not by speech-making ever you will be able to win; it is not by  
 “ talking; it is not even by Land Leaguering; you must be prepared to do all that  
 “ men are prepared to do if you want free land; of course it is a peaceable  
 “ agitation, I saw the “Times” exulting when the census was disclosed, when  
 “ they found we were only five millions; they had six to one, let us dare do  
 “ anything; but beyond the waves there are Irishmen now, thank God, and they  
 “ are not six to one. The policemen may ramble about . . . but the first  
 “ bayonet that is driven into an Irishmen’s body, that moment the Irishmen in  
 “ America will be on their legs. (Loud cheers.) The moment we spoke and  
 “ demanded our rights, England was afraid but to give us our rights, and, believe  
 “ me, England will be more ready in the future. We have a great power behind  
 “ us; I know it. I travelled through America, and there is not an Irishman  
 “ there but is determined to have his own way. We have a strong power behind  
 “ us, and if you pull on we can do everything peaceably, because England is a  
 “ coward at heart, and when she knows we are strong she will yield to us. In my  
 “ travels abroad I saw how the labourer was treated, and how he fared; he was  
 “ the decentest man at home too. (Cheers.) He is better paid in Australia than  
 “ the lawyer or the priest, or any men who live by their brains, and it  
 “ is right that the man who digs and delves, and fertilises the soil; who earns  
 “ his living by the sweat of his brow. He has to work eight hours of the day  
 “ and he is paid a shilling an hour, and he has meat as often as he chooses to use  
 “ it. Now we must consume our own beef and mutton, and we will never be



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WILLIAM IRWIN.

[Continued.]

“ satisfied until the labourer can eat his beef and mutton as well as the landlord.  
“ I am making a mistake, the landlord is a thing of the past. You are not very  
“ active down here, you have not done very much for the Land League. Let no  
“ man go pay the rent behind his neighbour's back, let no man go in up the back  
“ stairs. Go in a body, do justice to your labourers. Let me tell you this, I made a  
“ proposition last Sunday week that each farmer should give to his labourer as  
“ much land as he could manure. Are you here prepared to do that, there is  
“ nothing more reasonable than that, the farmer should give his labourer as much  
“ land as he could manure; are you prepared to do that? (a voice “yes.”) All  
“ who are prepared hold up your hands (about a dozen hands were raised). Of  
“ course the land here is a great deal better than in Boherbue, half an acre  
“ here is worth two in Boherbue. Boherbue is a bog. I say if each of you  
“ give half an acre free, if you do that, if you don't you will have to do it.  
“ He (the labourer) will get that and he must get it. It was proposed at  
“ the National Convention that for every 25 acres of land the farmer would give  
“ his labourer half an acre at the same rent he paid. I am asking you to take no  
“ rent. (A voice: We will pay the rent.) You will not. You will pay no rent.  
“ You will get the half acre of land free, or an acre, at the same rent they have  
“ it themselves, and that is a very fair proposal; and, believe me, we will see it's  
“ carried too. (A voice: What about the colouring of the tea.) I think the  
“ farmer is bound to provide it for his labourer. I think we are going for the  
“ abolition of the landlordism altogether, and I think when landlordism is  
“ abolished, these demesnes about will be taken for the labourers, and each of  
“ them will get the grass of two cows. Listen to me. A farmer suggested it to  
“ me the other day that when in the future farms would be going into market,  
“ let the Land League hang up these farms for the labourers, and divide them  
“ amongst them. Well now, I think the labourers have very good reason to join  
“ the ranks to abolish landlordism, because if they abolished landlordism the  
“ present quarters may become a little uncomfortable for them. I did not read  
“ the resolution, but it is for the abolition of landlordism. (Cheers and cries of  
“ To hell with them.)

(Mr. Murphy.) I think that is the only one at that meeting I need read. There are several others.

Adjourned till to-morrow morning at half-past 10,







*MDant*  
"Uncorrected Proof."

SPECIAL COMMISSION ACT, 1888.

ROYAL COURTS OF JUSTICE.

PROBATE COURT No. 1,

Thursday, 1st November 1888.

(*Sir Henry James.*) My Lords, at the request of the Attorney-General I have somewhat taken the charge of this question of the speeches, and would you allow me to make a suggestion with regard to the proof of these speeches. It would be a great saving of time if some arrangement could be come to upon the matter. I quite feel that my friends should—in fact it is necessary for them to have the context of the speeches that are read, therefore it is impossible as we are proceeding now to save any time, my friends not having seen the whole of the speeches. I also think it reasonable that my friend should have an opportunity of seeing what may be called the surrounding speeches, namely, speeches at the same meeting, but which we have not, or do not, think it necessary to read. I would make this proposition, and I think if it meets the views of my friends it will save your Lordships much time. We will print all the speeches from which we should read any portions, and we would underline the portion which we read and give that to Sir Charles Russell. We will print also the names of all the speakers at the meeting in any place; and we would print also the witnesses who will be called to prove the speeches. I will give copies of the print to my learned friends, and also to the gentlemen who are now appearing separately in the inquiry; and we will produce transcripts of all the other speeches and have them placed in a room in this building so that my friend can see any of them that he wishes, or any of them that he thinks it right to read. We then would ask your Lordships to fix a further day for producing any witness for the purpose of proving the speech or for general cross-examination, so that my friends would not be in a worse position than if the speech was read. We would ask my learned friend to do the same, and bring before you what he wished to have read, and so in a few hours we should be able to do that which, if it follows the present course, would occupy weeks to complete.

(*Sir C. Russell.*) I think that is a very valuable suggestion, but I should like before committing myself to its entire acceptance without some additional qualification to have an opportunity of speaking to my learned friends Mr. Reid and Mr. Lockwood upon the subject.

(*Sir Henry James.*) It was only after what fell from the bench yesterday that I have considered the matter and proposed what I have.

(*Sir C. Russell.*) It seems to me a very valuable concession. I have all along been endeavouring to insist upon this, and to avoid the great waste of time consumed by the present course.

(*The President.*) I should be very much obliged if counsel could come to some such arrangement, and thus save the valuable time. That seems to meet the difficulty.

(*Sir Henry James.*) We have come to a very practical suggestion if that is the course to be pursued, and we need not continue this class of witnesses, but the witnesses we have here do not cover the whole of the grounds, and we are placed in a great practical difficulty. We had to bring the witnesses over to prove different heads of the Attorney-General's speech, and of course we anticipated that the reporting witnesses would last many many days, and our client has to consider many things, and to bring many witnesses to prove other parts of the case; and what we have suggested would bring us to the conclusion of this class of witnesses, and the portion of evidence we should wish now to take would be the outrages which followed on these speeches, but we are not in a position to take county by county to-day and prove them at this particular moment, because we did not anticipate that they would go on at this time. We will do whatever your Lordships think right, but they will be broken witnesses if we proceed to-day with that kind of evidence.



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ATTORNEY-GENERAL AND OTHERS.

[Continued.]

(*Sir C. Russell.*) It is a little startling. I thought we were going on to follow the line indicated by the Attorney-General.

(*The Attorney-General.*) So did we.

(*Sir C. Russell.*) And we are not prepared for the cross-examination of particular witness as to outrages, or as to the particular district in which the outrages occurred. When that part of the case is proceeded with we should ask for notice of the witnesses that are going to be called, as has been already suggested.

(*The President.*) Our only desire is to save time. It would be very advantageous to get a break, but we feel it is our duty to go on. Let them go on with the evidence in chief and you reserve your cross-examination.

(*Sir C. Russell.*) If your Lordships think that is more convenient, I would like, with regard to the witnesses, to have them called—for instance, the man O'Malley and Irwin; I should like to cross-examine them.

(*The President.*) Yes, if you wish to do that now.

(*The Attorney-General.*) May I suggest—it will not take much longer time—while I entirely approve (if I may say so) the way in which my learned friend has put it, that so far as Irwin's evidence in chief goes, it may be completed upon the old lines, and O'Malley's; and my learned friend Sir Charles Russell might cross-examine, and it would have this advantage, it would show the kind of proof we must take with reference to subsequent witnesses which we must call. It really is a fact, we had endeavoured to prepare the speeches, and to get ready the witnesses to fill up the five or six days with that kind of evidence. Therefore, though we have done our best to meet it, we should not be able to present it in the same localised way as we should be if the order were in the same way to-day. It would, perhaps, be better, therefore, that Irwin's evidence should be finished, and then O'Malley's.

(*Sir Henry James.*) Your Lordships will allow me to add one word. I may say we very much regret to have any part of the proceedings disconnected; but it was in consequence of what fell from the bench yesterday, that I have suggested the course I have, in order to prevent this consumption of time which is so valuable.

(*The President.*) I feel sure you are as anxious as we are to save time, and I think we are approaching an arrangement that will have that effect.

(*Mr. Healy.*) I do not know whether we gather that as to all speeches which have been made during the course of the agitation, we shall have the names of the witnesses, which are of course in the hands of the Government and the *Times*—the names of the witnesses who took reports of speeches during the last five or six years.

(*Sir Henry James.*) No, that was not our intention.

(*Mr. Healy.*) And we shall have some opportunity, then, of being able to present our views of the matter.

(*Sir Henry James.*) If we prove a speech made at a meeting, say at A, B, we will give that speech *in extenso*. We will give the names of the witness who will prove that speech; and the transcript of the other speeches made at the meeting shall be accessible.

(*Sir C. Russell.*) I do not understand it extends to meetings as to which no proof is to be given.

(*Sir Henry James.*) No, we could not of course do that.

(*Sir C. Russell.*) Of course, I understand it. If we rely upon any particular speech we must do the best we can in that regard; but where they prove the delivery of a speech at a meeting, we are to have the whole of the speech delivered to us in print—and we are to have access to the other speeches.

(*The President.*) All the other speeches?

(*Sir C. Russell.*) Any other speeches that were delivered at the same meeting. I presume it will appear on the face of the print that will be delivered to us, all the speeches part of which are read by them and who the reporters are.

(*Mr. Healy.*) I see in the transcript of the speeches furnished, two or three speeches made were not taken at all verbatim in any way. They are simply reports of a speech that might take three or four columns and that is condensed into two or three sentences. Is that what you mean; we are only to have that?

(*Sir Henry James.*) Yes, because that is all we have got. Mr. Healy can put any question he thinks right in cross-examination.

(*Mr. Davitt.*) May I ask whether the same rule will be followed with reference to speeches delivered in America?



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WILLIAM HENRY O'SHEA.

[Continued.]

(*Sir Henry James.*) We have not touched that point yet. These are the Irish speakers.

(*The Attorney-General.*) There is one other matter. Sir Charles Russell wished Captain O'Shea should bring some testimonial or documents as to which Sir Charles Russell cross-examined him.

CAPTAIN O'SHEA, recalled, further cross-examined by Sir Charles Russell.

(*Sir C. Russell.*) May I ask for it to be handed in. We do not wish it to be read.  
[Document handed in.]

1038-9. You mentioned the name yesterday, we did not quite catch it, and I could not gather what it is from the newspaper report?—General Carroll something I told you. I did not remember the second name, General Carroll Thavies, I think it was.

1040. You did not know who he was?—No.

1041. Did you meet him?—No.

1042. Either here or elsewhere?—No.

1043. Not in Paris?—No; at the same time may I say there is a mistake in the newspapers. I never met Hayes, I never knew him either directly or indirectly.

Re-examined by the Attorney-General.

1044. Look at that. You were asked by Sir Charles Russell whether you had sent Mulqueeny to Paris to get Casey's signature to that testimonial and paid his expenses. First look down through the list of names and tell us whether Casey has signed it [document handed to the witness]?—No.

1045. Perhaps you are able now to say whether you sent Mulqueeny to Paris to find out Casey?—No.

(*The President.*) I thought the question was also this—whether he did not send him to warn Casey.

(*Sir C. Russell.*) No, my Lord, my friend was quite right, whether he signed it.

(*The Attorney-General.*) It was in connexion with another question sending Mulqueeny, but the incident of getting the testimonial was the subject of the question my friend put.

(*Sir C. Russell.*) Quite right. My question was whether he had not sent Mulqueeny to Paris to get Casey to sign it.

1046. (*The Attorney-General.*) You can say one way or the other. Assume the question to be put by me and answer it?—No.

1047. Look down the signatures and see whether there is anybody you sent to get his signature to it?—No, I do not remember even the names myself. I have only just found the document. I have not seen it for a long time.

1048. Look through it. Is there any name you asked anybody to get affixed to the document for you?—No, I know I did not.

(*The Attorney-General.*) My Lords, I should ask that that should not be printed upon the proceedings, otherwise it may get out, and I think my friend would concur it is not fair to names that are there who are in no way connected with this inquiry.

(*Sir C. Russell.*) I quite agree.

(*The President.*) Then it will stand as the witness has spoken of the document.

(*The Attorney-General.*) Yes, and left with the secretary.

(*Mr. Murphy.*) The next speech to be put in —

(*The Attorney-General.*) There was something Mr. Healy wanted to put to Captain O'Shea.

(*Mr. Healy.*) No, not now.

(*Sir C. Russell.*) It is hardly necessary I should intimate it, but I reserve to myself the right to make the application to recall Captain O'Shea if I lay sufficient ground for it at a later stage.

WILLIAM IRWIN recalled, further cross-examined by Mr. Murphy.

1049. The next speech we propose to put in is one which was referred to by the Attorney-General, at page 142, delivered at Cork on the 2nd October 1881. Within the last few minutes I have had an opportunity of seeing the transcript, and with your



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WILLIAM IRWIN.

[Continued.]

Lordship's permission I will not read the speeches, but hand them to my learned friend Sir Charles Russell, and then they can be printed upon the notes.

(*Sir C. Russell.*) No, why should you not read what you rely on ?

(*Mr. Murphy.*) Because they are long speeches—

(*Sir C. Russell.*) Do you rely on any part ?

(*Mr. Murphy.*) We do rely on them. I accepted your Lordship's observations yesterday, and I thought this course was better.

(*Sir C. Russell.*) I want to have the parts read on which you rely.

(*The President.*) Are you going to have the parts read ?

(*Mr. Murphy.*) I cannot lay my hand on it for a moment.

(*The President.*) Then I am afraid you must continue the same process as yesterday, and read all.

(*Sir C. Russell.*) If we had all this yesterday, we could have saved all this trouble.

(*Mr. Murphy.*) I had better not make observations, but if my friend makes these observations loud enough to be heard, I must refer to them.

(*Sir C. Russell.*) It was an observation of a very harmless character, namely, that if we had all this yesterday we should have saved all this trouble.

(*Mr. Murphy.*) The first speech is that of Mr. Parnell. The date was 2nd October 1881, at Cork.

[The document was put in and read and is as follows :—]

“ Mr. Parnell, who, on coming forward, was received with immense cheering, said: Fellow countrymen and fellow citizens,—It is now scarcely eighteen short months since first you did me the honour of permitting me to represent your city—(cheers)—and I think that you and I can join each other in congratulation upon the magnificent progress that the cause of Ireland has made in the meantime. The wonderful character of this demonstration has, I believe, scarcely ever been exceeded in Ireland within the memory of living man. (Cheers.) I had supposed when I came amongst you at the end of the session of 1880 that it was not possible for the people or for the city to do more in the way of spontaneous enthusiasm and national outpouring than you did upon that occasion, but your enthusiasm and the spontaneous character of the reception, and the magnitude and the extent of your numbers, all combine to-day to mark the demonstration as one of the greatest and one of the mightiest that has ever shown the invincible determination of the Irish people to rule themselves. (Cheers.) I congratulate you then, and we may all congratulate ourselves upon the position in which the Irish nation stands to-day; but let us not forget, let us remember, that very much depends upon our action for the future if we would reap the results of what we have gained. We must recollect how we have gained it. We must remember that it was by the determination and the spirit of self-sacrifice of our people that we are as we are to-day (cheers); and if perhaps as the result of the Land Act it should happen that a class of tenant-farmers receive any benefit, they must recollect that it is their duty to refuse that benefit unless it can be showed by the labourers, the artisans, and all classes in this country (cheers), these sacrifices, these exertions have not been only made for the master farmers, they have been made for the people of Ireland (cheers); and if any tenant-farmer should be tempted to make his own bargain behind the backs of his neighbours, and to regard his own selfish interest only, let him recollect that the Irish people behind him will see that he does full justice to those who are placed under him. (Cheers.) Beware, then, that if any of you should after a time go into court and ask that court to fix what is called a fair rent, that upon such a man will fall the duty of giving his labourers fair wages, and of paying his debts to the shopkeeper. We trust that we stand at the commencement of a movement for the revival of the ancient industries of Ireland. (Cheers.) Upon many times in our history, has such a revival been attempted, but it has been sought to originate this movement in former times very often, and they have not had the democracy and the spirit of the people to sustain them, and hence the failure; but to-day this great industrial movement, which I trust will result in bringing plenty and comfort to the home of every Irishman (cheers), is supported by the masses of our people, and thus based



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WILLIAM IRWIN.

[Continued.]

“ for its support upon the affection and the spirit of patriotism in Ireland.  
 “ (Cheers.) We then have every confidence in embarking in this movement for  
 “ the protection of Irish industry, that it will be a success, and that although  
 “ we cannot yet have our own parliament to protect Irish manufactures, yet we  
 “ shall be able, by the strong force of our public opinion, to give a preference  
 “ to things that are made in Ireland by Irishmen. (Cheers.) A happy future,  
 “ then, is before us, if you stand together like men, if you refuse to allow the  
 “ lines of our organisation to be broken; depend upon it nothing can resist your  
 “ power, and that by the spirit of order, and by the habits of organisation, and  
 “ of association together, which you are obtaining from day to day, you will  
 “ convince our rulers that it is an absolute necessity for them, if they wish to  
 “ retain the link of the Crown, that that link shall be the only link between the  
 “ two countries. (Cheers.)

Then the Rev. Mr. Sheehy spoke.

[Document put in and read.]

“ The Rev. Mr. Sheehy, C.C., on coming forward was loudly cheered. He  
 “ said:—Mr. Chairman and fellow countrymen, I feel a new spirit spring within  
 “ me, having witnessed what I shall characterise as the most remarkable  
 “ demonstration that has yet appeared in our country to chronicle the ancient  
 “ resolve of Ireland, that this country must be ours. (Cheers.) That has been  
 “ the tradition and the sworn vow of ages, of bravest sacrifices, and you stand  
 “ here to-day in your many thousands to repeat once more and to register solemnly  
 “ the vow transmitted to you, that stay your steps you will not, until you have  
 “ planted these glorious banners of Ireland (cheers), not only on the ruins of the  
 “ landlord power in this country, but on the ruins too of that Government, and  
 “ that alien race which it represents. (Loud cheers.) This demonstration  
 “ to-day, to any intelligent observer, is no mere senseless pantomime. I read in  
 “ it the stern resolve of the will of an unconquered people. (Cheers.) It is  
 “ no mere section of the Irish people against a class and against an interest, new  
 “ combinations, new elements of power are rushing fast into combination. The  
 “ national idea is becoming a prominent one. It is no longer now so much ‘down  
 “ with landlordism’ as ‘down with English law in Ireland’—(loud cheers)—and  
 “ fellow countrymen I do not speak to-day a new idea, I do not speak because  
 “ that my mind and heart happen to be stirred by the splendid declaration of  
 “ your power that I witnessed, because I witness numbers, at least as many as a  
 “ hundred thousand fighting men—(a voice, ‘and ready at a moment’s notice’)—  
 “ not because of a new spirit begotten within me by the presence of that great  
 “ power, but more than that because that I see behind your numbers, in every  
 “ eye I see the soul of a new spirit that is not mere land leagueism, not merely  
 “ selfish interests, but the grand ideal possesses your souls, and that you will not  
 “ be content as slaves, redeemed from a cruel class, until the other idea be realised.  
 “ that of making your country a nation amongst the nations of the earth.  
 “ (Cheers.) Now, why particularly do I refer to this matter? I do it because I  
 “ interpret exactly your mind and your feelings. I would not be speaking  
 “ accurately the language of your hearts to-day, I would be declaring you  
 “ cowards and caitiffs if I did not declare you enemies to Buckshot Forster.  
 “ (Groans and hisses.) Yes, fellow countrymen, I remember an ancient adage of  
 “ the Irish people, and I have taken that adage to my mind, three things—  
 1050. Will you read from your note what it is?—“Thorof tirick.” I believe it is  
 Irish for “bull’s horns;” “croo coppell,” the horse’s heels; and the “gord  
 sassanah,” the Saxons’ seductive smiles.

[continues reading.]

“ (The Rev. Mr. Sheehy then named the three different things in Irish as)  
 “ ‘thorof tirick’ as bull’s horns, ‘croo coppell,’ the horse’s heels, and the  
 “ ‘gord sassanah,’ the Saxons’ seductive smiles. Yes, ye may well apprehend  
 “ those English smiles. We are easily deluded by coaxing. England might  
 “ coax us perhaps if she had only wisdom to coax us, but she cannot. I  
 “ speak to-day as an Irishman, and an Irish Catholic clergyman. (Cheers.) In  
 “ the presence of men from many countries, Englishmen, Scotchmen—(a voice  
 “ ‘and policemen’)—I shall not echo the voice in the crowd. I shall not echo



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[Continued.]

“ the word policeman with the next name that is on my lips. (Groans for the  
 “ police.) I speak too in the presence of citizens of the great Republic of the  
 “ West. (Cheers.) And I feel that I would be a traitor to the traditions of  
 “ the past, and that I would be forgetful—and that I would be forgetful of the  
 “ grand hopes that are opening before us in the near future. I tell this English  
 “ enemy and the American friend that we are no more or less than Paddies  
 “ evermore. (Cheers.) We will not compromise with landlordism. (No, no.)  
 “ So I speak at least for myself. We will not compromise with the English  
 “ people. (Cries of ‘Never.’) I care not who does that which would induce you  
 “ to the idea of measuring you with the democracy of England; I say no.  
 “ (Voices, ‘No!’) We suffered more as a nation from the English democracy than  
 “ we did from the English aristocracy. It was these English democrats howling  
 “ the gospel of Puritanism which cannot be called other ism than Cromwellism.  
 “ That was the force that cut the throats of all the Irishmen they could catch  
 “ and hunted of the remnant into Connaught. This demonstration is purely a  
 “ national one. There is no place else in Ireland one is so anxious in planting  
 “ that ancient flag staff as here, in sight of rebel Cork, whose heart never beat  
 “ high, nor fast, nor natural, except when it beat in harmony with national  
 “ ideas. Yes, then fellow countrymen, Ireland for the Irish whether it be  
 “ separation altogether—(cries of ‘separation’)—or whether it be a Parliament,  
 “ as they say in College Green, I shall not quarrel so long as the national  
 “ standard is afloat, let it be national. Anyhow let the doctrine be preached, let  
 “ the vows be registered and we can unite on a platform that declares for College  
 “ Green. (Cheers.) These English people have had a lengthened trial, and they  
 “ have been a failure in ruling Ireland. They stand to-day with the anxious eyes  
 “ of the world focussed upon their rule in Ireland, and before the civilised world  
 “ they stand condemned because they would not be content to rule us as civilised  
 “ beings. They would rule us as if we were incapable of the rule of civilised  
 “ men. (Hear, hear.) We are not afraid of buckshot and we defy it, and for  
 “ the same reason we are not afraid of those who would employ buckshot upon  
 “ us, and we defy them—(cheers)—and in planting this defiance I have within  
 “ my breast a hope which comes to the conviction that present defiance shall  
 “ soon end, because our forces are great, and our weapons are very powerful, so  
 “ for with those weapons we have wrung victory, and so proceeding upon the  
 “ lines—proceeding upon the old lines, with wisdom, with caution, with calculation,  
 “ we shall multiply our victories and obtain defeat for them. Now fellow  
 “ countrymen I thank you for your welcome. (A voice: ‘You’re welcome.’) It  
 “ is surely consoling to find that coercion has not crushed my countrymen. It is  
 “ surely the herald of our highest hopes, that you have risen in proportion to the  
 “ amount of pressure brought against you, and that this splendid demonstration  
 “ in Cork to-day does not mark the highest reachings of the tide you are rising,  
 “ and you will rise higher, and upon that wave will be borne forward the ship  
 “ (cheers); the ship of our Irish destinies with the green flag from the flagstaff,  
 “ and bearing the rich argosy of Irish hopes to the port of prosperity and  
 “ security. (Cheers.)

Then Mr. T. P. O’Conner made a speech.

[Document put in and read as follows:—]

“ Mr. T. P. O’Connor, M.P., then said: Citizens of Cork, when twelve months  
 “ ago, along with my friend and your member, I addressed a gathering in this  
 “ park, I felt it necessary to begin my remarks with the observation that I was  
 “ bewildered, dazzled, and almost stunned by the magnificence of the demonstra-  
 “ tion I had that day beheld in the streets of Cork. In speaking here to-day I  
 “ feel it necessary to begin with this observation, that great and magnificent  
 “ and overpowering as was the demonstration of last year, greater, more  
 “ magnificent, and more overpowering still is the demonstration in the city of  
 “ Cork to-day. (Cheers.) And this vast increase in the magnitude of your  
 “ numbers and the depth of your enthusiasm points to the most important and  
 “ significant results in the twelve months which have elapsed between these two  
 “ meetings. You have had two most important gifts from the English Ministers;  
 “ you have had on the one hand the gift of coercion (hisses), and on the other



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“ you have had the so-called gifts of the Land Act. You meet in greater  
 “ numbers, and you meet with more vehement enthusiasm to-day, and the  
 “ answer is that coercion has not frightened and the Land Act has not  
 “ seduced or betrayed you. (Cheers.) If we could have had the advantage, or  
 “ disadvantage, to-day of the presence at our demonstration of one of the Ministers  
 “ who professed themselves, forsooth, friendly to Ireland, I would have a few  
 “ questions to ask them: Whether it is better that a Government should be  
 “ founded on force and fraud, or that it should be founded on the affections and  
 “ will of the people? (Cheers.) I would ask them which was the better and  
 “ securer basis for the Government: ‘Buckshot and bayonets,’ or the unpur-  
 “ chaseable affections of the Irish race? I would ask them whether it was better  
 “ that the foundation of the social and ministerial and political structure there  
 “ should be the dissolute ruffianism of dying landlordism and the village tyranny  
 “ of Muscovite magistrates—(groans of ‘Lloyd’; groans),—or the spontaneous,  
 “ the magnificent, and, I may say, the unparalleled demonstration, the abounding  
 “ love, and the confidence of the leader of the Irish people, which you see here  
 “ to-day. I feel, and I shall say to-day to Father Sheehy, that the sacredness of  
 “ his office, in place of being degraded, is sanctified by imprisoning him. (Cheers.)  
 “ This demonstration in the capital of Irish nationalism follows close upon the  
 “ glorious demonstration of the capital of the Irish nation. This demonstration  
 “ proves that city and country are solid for national rights. This demonstration  
 “ proves that we have now a vast, a firm, and unconquerable combination—the  
 “ artisan, the farmer, and the working-men of the towns; and this demonstration  
 “ following after twelve months, proves that you have reason to hope that the  
 “ leader of the Land League agitation, who put down and destroyed landlordism,  
 “ is also marching on, surely, but not slowly, with firm and certain and resolute  
 “ steps towards the emancipation of the Irish nation. (Cheers.)”

Then Mr. Redpath, of America, spoke.

[Document put in and read.]

“ Mr. Redpath, of America, then said:—Gentlemen, I regret that I am not  
 “ strong enough to-day to make my voice heard by this vast mass and assemblage  
 “ of numbers without number, and I must content myself with saying that  
 “ America is watching with an undying interest your heroic struggle for the  
 “ equality of rights for free homes in a free fatherland. We Americans do not  
 “ believe that the Almighty God sent one class of men into this world with boots  
 “ and spurs to ride, and another class already saddled to be ridden. (Cheers.)  
 “ We rejoice to see that the people of Ireland are rejecting that pagan, that  
 “ landlord doctrine. (Hear, hear.) I know the Irish in America and I know  
 “ them well, and I tell you that they will sustain you if you are true to your-  
 “ selves, not only with sympathy but with money until in all Ireland there is  
 “ not a tenant who is not his own landlord, and not a landlord who is not his  
 “ own tenant. (Cheers.)”

Mr. T. Healy, member for Cork, spoke.

[Document put in and read.]

“ Mr. T. M. Healy said:—Men of Cork, ten days ago I read in an English  
 “ newspaper called the ‘Times’ (groans for the ‘Times’), that the ground was  
 “ slipping from under Parnell’s feet. (Cries of ‘No.’) Where is the ‘Times’  
 “ to-day? You have heard of the motto of being ‘short and sweet,’ and I will  
 “ give you a motto which will be short, and the sweetness of it will depend upon  
 “ the interpretation you put upon it. On a banner unfurled in the streets of  
 “ Cork I read the inscription ‘Pay no rents, but Griffiths’ valuation.’ (Cheers.)  
 “ And a friend that was near me said, ‘that’s a very old banner,’ and I thought  
 “ to myself that it was getting out of date, because we remember how when the  
 “ farmers of Ireland tendered Griffiths’ valuation to the landlords last year, their  
 “ offer was rejected with scorn, and now the motto which I would suggest to—  
 “ (cries of ‘Pay no rents at all’)—those who desire to bring this inscription to a  
 “ meeting such as this, is that they should split the motto in two, and say no  
 “ rents ‘but’—and we will see by-and-bye what the rent is going to be.  
 “ (Cheers.)”

I do not think there is any other speaker which I need trouble you with.



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[Continued.]

(*The Attorney-General.*) O'Malley has not been able to make out the manuscript before because they took such a long time, but there are three which were asked for by Sir Charles Russell, and as soon as this witness is finished, I will see that they are read.

(*The President.*) Have you, at least, done with this witness?

(*The Attorney-General.*) We have done with him.

(*Sir C. Russell.*) Then I will ask him a few questions.

Cross-examined by Sir Charles Russell.

1051. Your name is Irwin, I think?—Irwin.
1052. What is your grade in the police force now?—Head constable.
1053. When were you made head constable?—On the 24th October 1883.
1054. How long have you been in the force?—Three years and four months.
1055. What part of the country are you a native of?—I am a native of county Roscommon.
1056. And where have you been stationed during your service?—I have been stationed in Thurles, county Tipperary, Killarney, county Cork, Ballinasloe, county Galway, the town of Wexford, Castle Island, in Kerry, and at the dépôt in Ireland.
1057. When were you instructed first to take reports of the meetings?—When did I get directions?
1058. Yes?—In 1880.
1059. What time in 1880?—December 1880—about December or November I believe were the first meetings—about November or December 1880.
1060. You had previously, as we can judge I think by the reports that have been read, acquired a competent knowledge of shorthand?—Well, I had acquired a knowledge of shorthand—a fair knowledge.
1061. And have you been employed from November of December 1880 making reports over the country?—I have, but not constantly.
1062. But at intervals?—At intervals.
1063. What was the last time that you had been reporting—the latest date?—The latest date I reported a meeting was at Carrickcross, some time ago—Mr. Davitt was there.
1064. That is in the county of Monaghan?—County of Monaghan.
1065. And that was when?—I can tell you the date, I think, sir.
1066. Probably you will not carry it exactly in your mind, but about when?—*[Referring.]* The 29th of May last year.
1067. The 29th of May 1887?—Yes.
1068. And you have not reported any meeting since?—I have done a lot of reporting, but not demonstrations.
1069. The distinction between a demonstration and a meeting I do not know?—Well, meetings.
1070. You have not reported any meetings?—I have not.
1071. Then what do you mean by saying you have done a lot of reporting since?—I have been employed in reporting inquiries.
1072. I see what you mean, reporting inquiries; that is to say, official reports in point of fact?—Yes.
1073. And have you for that purpose been travelling over the country, or has it been confined to one locality?—It has been confined to one locality—that is one county.
1074. Which county?—County Kerry—that is latterly.
1075. Since 1887?—Since 1887.
1076. Up to the present time?—Yes, up to the present time.
1077. Do you know from your experience of 13 odd years as a constable a good deal about Ireland and about the social position of the people of Ireland?—Well, I know a good deal about Ireland.
1078. In reference to the meetings I am now speaking of—Land League meetings and meetings of that nature—are you able to say whether or not they were commonly held in places where evictions had been taking place or were threatened to take place?—Well, I attended some meetings where evictions had taken place.



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[Continued.]

1079. And others where evictions were threatened?—Well, I believe so from the tenour of the meetings—what I heard at the meetings, the speeches which were delivered.

1080. You have been going about a great deal, and of course you were known to be taking, properly in discharge of your duties, notes of the various meetings?—I was, of course.

1081. Were you always treated civilly?—I never made any complaint.

1082. You had no reason to make any complaint?—Well, sometimes I was allowed on the platform and sometimes I was not.

1083. I suppose there was occasionally a certain number of policemen, but there was no incivility to you?—Not generally there was not.

1084. Nothing you had reason to complain of?—Well, sometimes I say I was admitted to the platform, and sometimes they objected personally to any person representing the Government being there.

1085. But beyond that you had nothing to complain of?—No, I made no complaint.

1086. A great many meetings were held where evictions had taken place or where evictions were said to be likely to take place?—I have attended the meetings at such places.

1087. Was that generally true of the meetings, that they were held in places where evictions had taken place, or where evictions were about to take place?—I do not say all.

1088. But I say generally?—Some of them.

1089. Many of them?—Well, a fair share I dare say.

1090. What, in fact, did you do—did you take a shorthand note of all the speeches?—I took a note of the speeches.

1091. Of all the speeches?—Of all the speeches.

1092. And I gather from the paper that was referred to yesterday, that you made a report to the authorities in addition to a transcript of certain speeches?—Well, a summary in front of what the meeting was like.

1093. Call it a summary if you like, report it was called yesterday—a summary or report?—Or report.

1094. Of a general character about the meeting?—Yes, and the inscriptions on the banners.

1095. The inscriptions on the banners, and so forth?—Yes.

1096. Did you make copies, write out transcripts, of all the speeches?—I wrote a general transcript of all the speeches.

1097. What did you do with them when you had made them?—I forwarded them to the authorities.

1098. Where?—To the Castle.

1099. Direct to the Castle?—When I would be stationed in the country it would be to an officer or county inspector there. For instance, while I was stationed in county Wexford, where there was a superior officer, I would send them on to my own authorities.

1100. And I understand that in other cases you would forward them direct?—Forward them direct in some cases.

1101. You were not here perhaps when the Attorney-General was making his speech?—I was not present.

1102. The Attorney-General read certain extracts from speeches. Do you know who made the extracts of the speeches that were read?—Who made the extracts for the Attorney-General?

1103. Yes?—I did not.

1104. Had you anything to do with extracting particular portions of speeches?—No, nothing at all to do with that.

1105. Where did you get these transcripts from, which have been read?—I got those here in London from the clerk who was in charge of the department.

1106. At the Irish Office?—At the Irish Office.

1107. In Great Queen Street?—In Great Queen Street.

1108. I suppose you had authority from your superior in Dublin or in Ireland for that purpose, or did you get them as a matter of course when you asked for them?—Well, I went there to get the transcripts.

1109. Who instructed you?—Well, I was directed by summons to prove certain meetings, and I went in to get my transcripts.



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1110. You were subpoenaed you mean on the part of the "Times."—I was.

1111. To produce certain things?—To give evidence regarding certain things.

1112. And then you went to the Irish Office in Great Queen Street?—I went to the Irish Office, and I asked for those transcripts.

1113. And they were produced to you?—They were given to me then.

1114. Without any order from anybody else so far as you know?—I know nothing about anything else.

1115. When were you subpoenaed?—That is to the present trial?

1116. Yes?—The subpoena was served on me. I was on leave at the time.

1117. When was it?—I knew the subpoena was issued for me, but it was handed to me last Monday week.

1118. I may of course be misinformed about it, but that was not the first time you were subpoenaed, was it?—No, I was subpoenaed before, in the other action.

1119. In *O'Donnell v. Walter*?—I was, to prove some meetings.

1120. And did you, for the purpose of the "Times," in that case, and by instructions, take the evidence in shorthand of certain witnesses brought over?—I may mention that I got no instructions whatever. I did take the statements of some men.

1121. I want to get the facts. You did take the statements of certain Irish witnesses, I presume?—Yes.

1122. Witnesses from Ireland?—Yes.

1123. And without instructions you took down in shorthand statements of their evidence?—Some I took in shorthand and some in ordinary writing.

1124. Where did you take them?—At the Inns of Court Hotel.

1125. Who were there besides yourself?—There were a number of people.

1126. Who?—There were a number of police officers and witnesses generally.

1127. Were there any magistrates there?—There were, sir; there were some magistrates—some divisional magistrates, I believe. I think they were staying at the hotel.

1128. I am talking of the room in which you were taking the evidence from these Irish witnesses?—Yes.

1129. Who were the magistrates who were there when you were doing this?—Do you mean the whole time that they were there—the whole time?

1130. No, from time to time?—I saw magistrates come in. There was Captain Slack, Mr. Horne, Mr. Dusterville. Some of those were merely in the room; they walked in and out.

1131. Are those all?—There may have been more. You will not confine me to number?

1132. How many resident magistrates or stipendiary magistrates, or whatever they are called, were there?—Those are all stipendiary magistrates.

1133. How many magistrates were there in and out when you say you were taking the statements of these witnesses?—I could not tell you exactly.

1134. Well, about?—I suppose there were six or seven, perhaps more, perhaps less.

1135. Were there any resident magistrates who were not divisional magistrates?—Some of those I named are not divisional magistrates.

1136. And having taken the evidence, what did you do with it?—Having taken the evidence, in some cases I gave it back to the witnesses.

1137. And in other cases?—In other cases I gave it to Mr. Horne.

1138. He is a resident magistrate?—He is a resident magistrate.

1139. Why did you give them to him?—Well, he was there in the room, the others were there; in many cases—most cases I gave the statement back to the witnesses I took it from. I gave it back to them to read over and correct if they wished.

1140. Why did you give them to Mr. Horne is my question?—Well, I have been attached to Mr. Horne for years, sir, for a good number of years.

1141. Do you mean attached to him as a subordinate, or personally attached to him?—I have been working for him off and on in an official capacity perhaps for the last 18 years.

1142. You have been working off and on for him for a number of years, and therefore you gave them to him?—Yes.

1143. Where is Mr. Horne a resident magistrate?—Mr. Horne is a resident magistrate for a number of counties in Ireland; Westport is his district in Mayo, and



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he is also resident magistrate for Clare, for Kerry, for Tipperary, and all the adjoining counties.

1144. Then he is what you call a divisional magistrate?—He is not; he is a resident magistrate.

1145. Do you mean he was agent from time to time under the Act that is called the Crimes or Coercion Act, for administering that Act?—He has held inquiries under it.

1146. How did you get in any special contact with him more than with other magistrates?—Well, I have worked with him for the time I have told you, in the investigation of cases of crime in Ireland.

1147. In addition to this reporting business?—Yes.

1148. In addition to reporting the speeches and making these official reports you have been engaged in inquiries under this Act with him?—I have.

1149. In how many?—Well, perhaps four or five.

1150. When was the first?—That is under the old Act.

1151. I know. When was the first?—The first commenced in December of last year.

1152. And when was the last?—The last was at an inquiry into the shooting and wounding of the schoolmaster Robinson in county Kerry.

1153. When?—That was this year.

1154. At what time?—The inquiry continued on to the Summer Assizes at Maryborough.

1155. Do you know what Mr. Horne did with those?—I am not personally aware of what he did with them.

1156. Was he, or was he not, engaged in assisting to get up the evidence for the "Times" newspaper, aye or no?—Mr. Horne was present in the room.

1157. Did he put questions to the witnesses?—Well, he wrote out statements the same as I did, I think so, of a magistrate or two.

1158. Did other magistrates, in addition to Mr. Horne, take statements?—I saw them writing at tables; there were a number of tables.

1159. And some of the witnesses near them?—Well, the witnesses were subpoenaed, they were sitting in the room.

1160. And you heard them put questions?—I do not say that I did.

1161. What were they doing when they were sitting in dumb show?—Some of them were writing.

1162. And writing down the answers of witnesses?—I did not see them.

1163. What were they writing?—I think some of them wrote private letters there.

1164. First of all, was this a large room?—It was a very large room.

1165. Was there a large table or a number of tables?—There was a large table.

1166. How many people were there in the room at the time?—I suppose there were 50 there sometimes, I think there were.

1167. Is your suggestion this, that the magistrates were availing themselves of this time and place to write private letters?—I believe they did write private letters, and I know they did. I have seen them getting stamps.

1168. Is that the only thing they did?—I believe some of them wrote statements in it.

1169. From witnesses?—Their own statements.

1170. Did they write statements from witnesses?—Well, I am not able to say that they did.

1171. Tell us please candidly all that you know about this. Did you not hear them put questions to the witnesses, and hear them take down the answers from the witnesses?—I did not, sir.

1172. Did you see them with the witness sitting beside them, or standing beside them?—The witness might be sitting away, perhaps three or four feet, on a chair, or not speaking at all when they would be writing away.

1173. That may be; did you see them write down statements which you believed were statements of the witnesses?—I did not.

1174. Did you see them writing statements?—I think they were writing their own statements.

1175. Altogether?—Altogether.

1176. Is that what you wish the court to understand, a large room with a large table, 50 people, and six or seven magistrates; how many policemen?—There were a number of policemen.



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1177. And how many witnesses would you say?—I would say there were perhaps 50 or 60 sometimes, not so many at other times.

1178. When you put down the statements of the witnesses, who put the questions?—Regarding the statements I took myself?

1179. Yes?—The witnesses told me what they had to say, and I wrote it down for them. Some of them came to me and asked me to write down their statements. Some men I knew from co. Kerry.

1180. In the course of that, questions had to be asked of the witnesses?—Yes.

1181. Who asked the questions?—I asked the questions.

1182. Did anybody help you?—Well, sometimes Mr. Horne might ask a question.

1183. Do you mean to say he was the only one that did it. The only magistrate I mean?—I do not think any other magistrate interfered with me. I do not think they did.

1184. Was there any other police constable who wrote shorthand there besides yourself?—Oh, there were a number of them.

1185. Were they writing too?—I cannot say for a fact, but I think I saw Serjeant Keeveney writing.

1186. Was he, like yourself, taking statements from the witnesses?—I do not believe so.

1187. Then do you wish it to be understood that, as far as your observation went, you were the only one of the constables who was taking the evidence of a witness?—Well, I thought I saw him writing.

1188. Do you think he was taking the evidence of the witnesses?—Well, he may have been.

1189. Did you think he was?—I believed he was taking a statement. He was sitting at a table with a gentlemen.

1190. With the witness?—With a gentleman. I presume he was a witness.

1191. Was anybody assisting him?—I think not. I am not aware, or rather I should say I saw him writing from his notes.

1192. How long did this go on; how many days or hours?—Some few days.

1193. How many?—Perhaps for a week.

1194. And was the same thing going on each of those days, or very much the same thing?—Well, sometimes they might not write any at all there some days.

1195. I do not mean every moment of the day; but was the same kind of thing going on from day to day during that week?—I believe the rooms were for the witnesses to meet to appoint a meeting.

1196. But was the same thing going on more or less during these days?—Off and on.

1197. A number of witnesses, a number of policemen, a number of magistrates; were the magistrates still writing their private letters?—They used to come in and out at intervals, some of them.

1198. Do you recollect the names of the witnesses whose evidence you took?—I took the evidence of McNewall.

1199. Who is he?—He is a district inspector.

1200. But he would be your superior, would he not?—Yes; he dictated his evidence to me, and I put it down. He made rather a long statement.

1201. You took it in shorthand?—I did.

1202. Anybody else?—I took the statement of a man named Cullotty, from Kerry. He came and asked me to take it.

1203. From Castleisland?—He was from the district of Castleisland, a few miles out of the town.

1204. Who else?—A man called McAuliffe.

1205. Of where?—Of Dick's Grove, outside Castleisland. Those men knew me, and they came to me.

1206. Dick's Grove, outside Castleisland?—A few miles outside Castleisland.

1207. Anybody else?—Oh, yes; some policemen.

1208. I want to know?—If you can tell me the names, perhaps I can tell you.

1209. I do not know the names; I want to know from you?—I also wrote the statement of Mr. Huggins, district inspector.

1210. Where?—Knocknabull, co. Galway.



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[Continued.]

1211. Anybody else?—Well, I did, but I cannot think of them. I would tell you if I could think of them.

1212. You say, speaking as you know you are speaking upon your oath, you do not recollect anybody else?—Not their names. If I saw them I would.

1213. Well, I will take your statement?—A number of those men I did not know by name, but whose faces I would know if I saw them now.

1214. A number of others whose names you do not recollect?—I do not recollect.

1215. Where did they come from?—Different parts of Ireland.

1216. What parts?—Some came from Athlone, some from Galway, some from Kerry.

1217. Athlone is on the borders of Roscommon and Galway?—Yes; some from Kerry. I cannot think of any other counties.

1218. Whose evidence did Mr. Keeveney take?—I think it was Mr. Boyd I saw sitting beside him.

1219. Of where?—Mr. Boyd, of New Ross.

1220. What is Mr. Boyd?—Mr. Boyd is a Crown solicitor or a sessional Crown solicitor. I cannot say for certain. I took his evidence. I saw him sitting near, and I saw him writing afterwards.

1221. Beside M'Keeveney?—M'Keeveney was near him.

1222. He is known in Ireland as a Crown prosecutor?—He was a sessional Crown solicitor. I think he is clerk of the peace or something now. I am not sure.

1223. Do you recollect anyone else who was taking statements of witnesses?—No, I do not recollect anyone else to name them.

1224. You say you returned to the witnesses the statement that you wrote out?—I returned the witnesses the statement I wrote out in some cases.

1225. In some cases?—Yes, in some cases.

1226. In order that they might read it over?—To let them read it over, those who were able, and those who were unable to read I read it over to them, such as Cullotty.

1227. What did you do with the statements you did not hand to the witnesses?—I handed the statement of Cullotty and McAuliffe, I think it was, to Mr. Edmonds; he was in the room when I came into the room.

1228. You say Cullotty and McAuliffe, you handed ——?—Their statements in an envelope.

1229. My question is what did you do with the statements, whatever the number was which you did not hand back to the witnesses?—Some of them I merely, when I wrote them out, left them on the table near where Mr. Horne was sitting.

1230. You left them practically with Mr. Horne?—I left them on the table near him.

1231. And some others you put in an envelope?—Some two or three I put in an envelope and handed to Mr. Edmonds.

1232. Who is Mr. Edmonds?—He is clerk to Mr. Soames. I saw him here in court.

1233. Clerk to Mr. Soames, "The Times" solicitor?—Yes.

1234. Who instructed you to do this?—No one instructed me.

1235. Who asked you to do it?—Cullotty came to me and asked me to take a statement.

1236. Cullotty is only one of the number?—Mr. Newell, for instance, came over and asked me. He said: "I have a statement, will you kindly sit down and write it for me, I will dictate it to you."

1237. Who told you to take the evidence of this number of witnesses?—To give me directions?

1238. Yes?—No one ever did.

1239. Then you volunteered that?—I was asked, and I took the statements.

1240. Who told you to give them to Mr. Edmonds—those that you did give?—Well, I looked to Mr. Edmonds. I saw no one else there, and I was not going to take the statements with me. I sat down and I wrote them out. They were very long.

1241. You knew, of course, you were helping to get up the evidence for "The Times" in that case?—I was merely taking the statements of some witnesses I saw there. I merely took the statements of some witnesses who were there.



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[Continued.]

1242. But you knew that it was for the purpose of helping "The Times" with their evidence in the case?—Oh, of course I took it for the witness, and knew he was summoned for "The Times"—subpœnaed.

1243. Now are you sure you have mentioned all the considerable persons who were there?—Well, I have. All I remember, Sir Charles.

1244. Do you know Mr. George Bolton?—I do.

1245. Was he there?—I do not think he was there. I saw him there one or two days.

1246. How did it come that you did not mention the name of Mr. George Bolton?—I did not think of it or I would have mentioned it.

1247. What is Mr. George Bolton?—He is Crown solicitor.

1248. For where?—For Tipperary.

1249. You forgot his name, did you?—I forgot it, Sir Charles, or I would have mentioned it, and the other names you suggested to me.

1250. I assure you I do not know any of them. Some were just suggested to me. Was District Inspector Wade there?—Yes.

1251. Was District Inspector Meehan there?—Yes.

1252. Was District Inspector Davis there?—Yes, I saw him there.

1253. Was District Inspector Murphy there?—Well, I cannot say. I did not know District Inspector Murphy. I saw him afterwards.

1254. How did it come that these other names escaped you?—I did not think of them. I did not see Davis there except on a couple of occasions. He merely came in and remained a few minutes in the room and went out again.

1255. What were they doing there?—On one occasion Mr. Davis came in to see me. I had served under him as head constable a good while ago.

1256. Was there any occasion on which the statement of any witness was taken by you when there were not these district inspectors or magistrates present?—There was.

1257. When, and whose?—I took the statement of Cullotty by himself.

1258. Do you say you and he were the only people in the room?—There was another man called McAuliffe. Cullotty in giving his statement spoke in a low tone. I asked him to speak a little louder, and he told me he did not like McAuliffe or anyone else to hear his statement. He asked me even to shut the door.

1258a. Do you say when you were taking Cullotty's statement you and he and this man McAuliffe were the only people in the room?—I believe that was all.

1259. Do you say so?—I believe that was all. I will not say it for a positive fact, but there was no other official there.

1260. Is that the only witness you can mention whose evidence was taken when there was no other official there?—That is all, I believe.

1261. Then the others were taken when there were this number of persons present, or some of them?—Or some of them, not all.

1262. No, I do not suppose they were there all the time. Do you say you were not asked by anyone to do this?—I say I was not, I say that distinctly, such as receiving a direction.

1263. I do not say anything about direction. Do you say you were not asked to get up the evidence for the purposes of "The Times"?—Oh, never; I was never asked by anyone to get up the evidence for "The Times."

1264. When did you see Mr. Edmonds?—I saw him in the room.

1265. How did he introduce himself to you?—When I came over. When I was subpœnaed over I presented myself, of course, at Mr. Soames' office, and he was the first man I saw there.

1266. Then you knew he was Mr. Soames' clerk?—Yes.

1267. Was he present when any of the evidence was being taken?—That I could not tell you exactly. You know, Sir Charles—

1268. Oh, pray do not mind my name, I am sick of it. I do not think my Lords have yet heard it, but I wish them now to understand this. Were you examined?—At the State trial?

1269. Yes?—No, I was not.

1270. As I have introduced the matter, I may as well mention it. You know that there was a State trial, as it was called?—I do.

1271. In Dublin?—In Dublin; yes.



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[Continued.]

1272. I do not think your Lordships have had this mentioned before; beginning in December 1880?—In December 1880.

1273. It would be better perhaps to reserve it for a witness who was examined there, but you probably can tell me. Were you at the trial?—I merely went in to look on, Sir Charles.

1274. The persons charged there were Mr. Parnell, Mr. John Dillon, Mr. Joseph Gillis Biggar, Mr. T. D. Sullivan, Mr. Thomas Sexton, Mr. Patrick Egan, Thomas Brennan, Michael O'Sullivan, Michael Boyton, P. J. Sheridan, P. J. Gordon, Matthew Harris, John W. Walch, J. W. Nally?—I believe so; some of those gentlemen.

1275. You know that all the speeches up to the time of this prosecution which have been already adverted to were referred to at that State trial. I believe I am right in saying all, but substantially all, at all events?—I think, although the trial was on in December, the speeches had closed before that, I am not aware of what date.

1276. At all events, you do not know?—I do not know.

1277. We will get that a little later. You know that there was no verdict?—No verdict; there was a disagreement.

1278. And the prosecution dropped?—A disagreement, and the prosecution dropped; a disagreement among the jurors.

1279. According to your experience and recollection, except when the police are employed in relation to evictions, assisting in evictions, are they not treated kindly and on good terms, generally speaking, with the people, speaking generally?—Well, speaking generally, there may be instances—

1280. I quite agree there may be instances to the contrary?—There may be instances, and there have been instances; but speaking generally, that is the respectable class of people in the country.

1281. No, no?—Well, I include the farming class, generally.

1282. I will put it in this way: Has it not been the employment of the police in evictions that has caused any sore feeling to exist between the people, generally, and the police?—That causes a very sore feeling.

1283. That you believe to be the principal cause?—Well, there may have been other times of excitement, you know, too.

1284. True, I quite agree?—For instance, the Belfast riots, and things like that; when riots get up at Belfast and Cork, and that sort of places. Then it calms down again—the feeling.

1285. You said you were a native of the county of Roscommon?—I am.

1286. You know, do you not, from your knowledge of your native county, that in the whole of that district in Mayo, in Roscommon, and a considerable part of Galway, the holdings are very small holdings?—The holdings are small holdings; of course there are some large holdings.

1287. I am speaking of the generality; they are very small holdings?—Yes.

1288. And do you know that that class of persons in that part of the country mainly supported themselves by their earnings in Scotland and England in the harvest time to a very large extent?—Of Mayo generally.

1289. And of Mayo generally?—Yes.

1290. You know, do you not, that after the year 1878-79, that class of employment fell off very greatly?—Since those years the people seem to have been poor. They got poorer.

1291. You know, do you not, that for their support and for the payment of their rent they depended upon their earnings in the harvest time?—A good many of them.

1292. I am now speaking of the large class of small holders which you said is general in Mayo and Galway; of course there are a great many exceptions. What age are you?—Between 31 and 32 years, about 31½, I think.

1293. Then probably you have only heard of the famine of 1848, 1846, and 1847 from your parents?—I only heard of that.

1294. You heard of that from your parents probably?—Yes.

1295. What were your parents?—My parents and my ancestors held a good amount of land, a large amount of land in co. Sligo until that time, and from the way that they thought to assist the poor people who lived under them the place was sold out. That is my grandfather's people.



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[Continued.]

1296. Where were you stationed? I wish you to think for a moment and tell me where were you stationed in 1878 and 1879?—I was stationed in 1877 in Killarney, and then I went to Ballinasloe. I was in co. Galway in 1878, and 1879, and 1880.

1297. In 1878-79 were there not grave rumours of a general recurrence of the famine of 1846, 1847, and 1848—aye or no?—I know meetings were held.

1298. No, I am not talking about meetings, I am asking you as a constable living in the neighbourhood?—If you will allow me to explain, Sir Charles, I can answer you the question. Meetings were held, or at least one meeting was held, at which I was present, and I heard a speaker, the purport of the speech was to call on the Government to open up some reproductive works in Ireland. That was in 1879 or 1880, I cannot say.

1299. In view of a threatened famine?—In view of the distress in the country.

1300. In view of the great distress; and the distress was great, was it not?—On many people.

1301. And generally?—On the smaller farmers.

1302. Do you know that just as that distress deepened evictions increased?—Well, I had not a personal knowledge of that. I was not present at those evictions.

1303. I am not asking you to say whether you can give us the statistics; my Lord will have them by-and-by; but I am asking you as a man mixing among the people, was it not the fact that, as distressed deepened evictions increased?—As the people fell into arrears of course writs were served on them, and of course the natural consequence of those would be eviction, if they were not paid up—the rents.

1304. And as those evictions increased did the general discontent increase?—Oh, the general discontent increased since 1879.

1305. Now let me ask you further I have asked you about the connexion between distress and evictions. I ask you as a constable of experience, have outrages, in your judgment, increased in proportion to evictions?—Well, Sir Charles, if I might speak about Kerry, I had been there when it was very quiet; very quiet. In the year 1876 and 1877 I went back to Castleisland again. I was stationed in Killarney in 1876 and 1877. I went back to Castleisland then in 1887, and I found the county, the manner and tone of the people, had changed entirely, except the older people. I did not find much change in them; that is the older people, my Lord.

1306. You do not mean it unfairly, I am sure, to me; at least, I think you do not. I want an answer to my question?—Yes.

1307. Is it your experience or not, as a constable, that as evictions increased outrages increased?—Oh, I heard people say they did not care what became of them. They did not care what they did or what became of them.

1308. That is to say, people evicted or under threat of eviction?—People upon whom seizures had been made or were about to be made.

1309. They did not care what became of them or what they did?—I heard some people state that.

1310. They became in a state of desperation, in fact?—Some of them.

1311. Now, we will have the speeches referred to later in extenso; but my Lords will allow me to put this general question. At many of the meetings—I will not say all for the moment—but at many of the meetings were there not speeches enjoining patience upon the people?—At some of them.

1312. Do you not adopt my phrase?—I can speak to only those I was at myself.

1313. Of course I am speaking of those you were at yourself?—I heard clergymen enjoining on the people to keep quiet.

1314. To keep patient?—To keep quiet.

1315. I used the words many of them, and you said at some of them. Do you mean to say it was not at many of those that you yourself reported?—Well, if you take all the meetings I reported I would say a good many.

1316. Taking all the meetings you reported, at a good many of them the speakers enjoined patience upon the people?—Patience and to keep quiet.

1317. And have you noticed in the later speeches beginning from about 1881, 1882, and 1883 that they have urged the people to rely upon the efforts of their own leaders to secure benefits from Parliament for their relief?—That was the general tone of the speeches of the members of Parliament—the general tone except at some meetings, you know—some meetings, I do not say all meetings Sir Charles; I cannot charge my memory with that.



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[Continued.]

1318. I suppose there were very few meetings at which there were not some harum-scarum speeches?—Very few.

1319. I do not know whether you ever encountered the celebrated—as the Attorney-General has now made him—Scrab Nally?—I did not, but I saw him.

1320. Do you know he is a joke in the country in which he lives?—He is looked upon as a wild man.

1321. That nobody pays much heed to?—That is up to saying anything nearly.

1322. Does anybody who knows Scrab Nally attach any importance to what he says?—Well, I cannot tell you that, Sir Charles, exactly, for I have not had much experience of Mayo—that is, at meetings. He spoke generally at Mayo.

1323. From your general opinion that you have gathered from your travels through the country, is he a person to whose speeches or to what he said anyone would attach any importance?—Well, I do not think any calm, reflecting person would attach much importance to him.

1324. Now you referred to Kerry?—I did.

1325. And you spoke of a changed tone in the people?—Yes, very much so.

1326. And you referred, I think, particularly to your return there some time in 1879–80?—In 1887, I said; at the end of 1886, Sir Charles, it should be.

1327. Oh, I beg your pardon; do you know the number of evictions that had taken place in Kerry?—I do not know the number exactly. I am sure a good many have taken place; that is, from farms that are lying idle.

1328. I want to ask you another question upon an entirely different subject. You have told us the counties in which you reported meetings?—Of course, I reported through almost all counties in Ireland, with the exception, perhaps, of a couple just.

1329. Is it true that there was most disturbance in Galway, part of Mayo, and Kerry?—And Clare.

1330. Now, speaking from your experience, are not the places in which there was the most disturbance the places where secret societies were supposed to have the strongest hold—aye or no?—Well, I believe that secret societies—

1331. I will repeat my question. I want you to try and give me an answer directly. Are not the places which you have mentioned as being those which were most disturbed the very places in which secret societies were believed to have the strongest hold?—Certainly. In some places some of the people were under their control entirely.

1332. Do you know enough of the matter to tell me from your own observation whether it was not in these very districts that the Land League met the most strenuous opposition from the secret societies?—Well, I am not able to answer that question, Sir Charles.

1333. Do not you know that the secret societies were opposed to the Land League?—I know some of the members of them were—some of the members—some of the leading members I might say.

1334. Does that apply to your knowledge to more than one part of the country—to the leaders in several parts?—I would say in Kerry.

1335. Is it not equally true of Clare and of Galway?—I believe secret societies exist to a large extent in Clare and Galway also. That is my belief.

1336. Is not what you have said of Kerry equally true of Clare and Galway?—If you take my belief it is.

1337. I am asking about the belief formed from your experience?—Yes.

1338. Have you heard for instance of meetings being broken up, or attempts at breaking them up, in Mayo—Land League meetings I mean—at the instance of members of secret societies?—I heard of one in County Wexford—Enniscorthy.

1339. Have you heard of platforms being cut away to prevent the meeting being held?—Well, I have not heard of that—I have not.

1340. You may not have been in that neighbourhood?—I have not heard of that.

1341. You heard the speeches read this morning from your transcript?—I did.

1342. I should like to ask you simply, if my learned friend will allow it, just to get at your frame of mind, except the speech of the Rev. Mr. Sheehy, which was, let me say, highly flavoured or highly coloured, do you think there was anything in those speeches that were read this morning that was objectionable?—Well, I formed no opinion about them, Sir Charles. I merely wrote out the speech and sent it off.

(*Sir C. Russell.*) I think it is a legitimate question to ask him, my Lord.



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[Continued.]

(*The President.*) I think he has answered it in a legitimate manner.

(*Sir C. Russell.*) Perfectly. I am not complaining at all.

(*The Witness.*) I know it was a very large meeting, at all events.

1343. Do you know, as perhaps accounting a little for the perfervid character of that gentleman's speech, that the speech was made on the 2nd October 1881, and do you know that he had only been five days before released from gaol as a suspect under the Crimes Act?—I know that he had been in gaol; that is from seeing the newspaper report that he had, and hearing it generally.

1344. It was mentioned at the meeting?—It was a reception given him on his liberation.

1345. Will you turn to your notes of the speech at Fenight, in Kerry, on the 25th September 1881. Will you give me the transcript of that, please?

(*Mr. Murphy.*) Yes.

(*Sir C. Russell.*) I mean the longhand.

(*Mr. Murphy.*) I have not that.

(*Sir C. Russell.*) Where is it?

(*The Witness.*) I believe the secretary has it.

(*The President.*) When was the evidence given respecting it?

(*Sir C. Russell.*) It was just at the tail of the evening yesterday.

(*Mr. Murphy.*) The date of it was the 25th September 1881.

(*Sir C. Russell.*) The Rev. F. Murphy, I think, was the name?—The Rev. A. Murphy.

(*The President.*) Catholic curate?

(*Sir C. Russell.*) Yes.

(*The speech was handed to the learned counsel.*)

1346. Will you refer to the part of your notes in which there is some reference to "Fenian"?—Yes.

1347. That is the part I wanted you particularly to give me. It was at that meeting, I think. It may not have been Murphy's speech, but it was at that meeting, I think?—"Kerry was the coursing ground of the Fenians." Is that the portion you want?

1348. I do not think it is very important, but I am told that this reference which was read by my learned friend, Mr. Murphy, from the transcript as relating to Fenians or Fenian, related to Finn M'Cool. Will you turn to your notes and see what you have got. Finn M'Cool was a legendary Irish giant, or, I believe, a legendary Scotch giant. Mr. Davitt disclaims any idea of his being a Scotchman. "Kerry was the coursing ground"?—Yes, "Kerry was the coursing ground of the Fenians."

1349. It really is not very important?—"The Kerry men were bound together against the invaders; it was not in Kerry they made the first impression, Kerry fought out to the last."

1350. I think there must be something wrong there, must not there?—Well, he was rather a wild sort of a man.

1351. That is to say, from the shorthand writer's point of view?—Well, I think from every point of view.

1352. But I would ask you, do not you think you probably made a mistake, and it was Finn M'Cool who was referred to there?—No, it was the Fenians.

1353. Do not you know that Finn M'Cool's band were called the Finnian band—not Fenians, but Finnians? Did you not know that before?—No, I am not aware of that.

1354. You were referring to Kerry and to your experience in Kerry. You have said already the secret societies did exist in Kerry?—Very largely.

1355. Do you not know that so far as the Land League was concerned they met with more opposition in Kerry than anywhere else?—Do you ask me, Sir Charles, what I have heard?—

1356. I ask you your opinion from your general experience of the country, is not that so?—Well, my opinion is that some men in Kerry who were leaders in the movement—

1357. In which movement?—In the Land League movement—that is from what they have told me I knew it to be so—that they endeavoured to stop some men who had been there—stop them in the commission of outrages, and they told me they



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dreaded the coming winter; that they would not be able to keep their revolver boys in order, and a name was mentioned then to me as being a name of one of the revolver boys.

1358. That was a secret society?—That was a party who committed outrages.

1359. And opposed to the Land League?—Well, this man told me—this man even told me he was a member, and I knew him to be a member of the House League at the time.

1360. I do not know whether as regards the National League, which is the existing organization, that it is not equally true of that as regards Kerry—what you have said of the Land League?—The part of Kerry in which I was serving—stationed permanently—Castleisland, there was a branch of the National League there, but they did not join it generally—the people would not. That is the younger men.

1361. Would not join it generally?—Would not join it generally. They had parties and sections of their own that used to go about the country whenever they could to commit outrages.

1362. Moonlighters in fact?—Some of them walking about in fact doing nothing but that and watching the police.

## Cross-examined by Mr. LOCKWOOD.

1363. (*Mr. Lockwood.*) My Lord, I have one question only to ask this witness. It is with regard to a meeting at which T. P. O'Connor is alleged to have spoken.

(*The Witness.*) Yes, in Cork.

1364. I have not got the shorthand writer's note of that. Will you give it me please?—The secretary has the transcript. It was the 2nd of October 1881. It was the Parnell demonstration.

(*Mr. Lockwood.*) If it is not at hand I will not trouble.

(*The Assistant Secretary.*) I believe it is with one of the shorthand writers.

1365. (*Mr. Lockwood.*) I only want to get this from you. That was a large demonstration was it not?—Very large.

1366. Can you give us any idea of how many people would be there?—Well, my estimation at the time was that there were close on 40,000 people in it, I think, between 30,000 and 40,000 at least.

1367. The occasion was, I believe, the visit of Mr. Parnell to his constituents?—Well, yes, Mr. Parnell is the member for Cork, and he visited Cork in company with the Rev. James Sheehy and Mr. T. P. O'Connor, Mr. Healy, and some others.

1368. Very good, there is only one question I want to ask you. Was that meeting of the dimensions you have told us, orderly and well-conducted throughout?—Oh, I saw nothing wrong in the meeting throughout. I may have seen a few people who differed, that is, in the street.

1369. Out of 40,000?—Yes, and I think there was a small scuffle about a banner or something, people anxious to get a banner.

1370. Was it what you would describe as an orderly meeting?—Oh, I would describe it as such.

## Cross-examined by Mr. HEALY.

1371. You have only reported, as I understand—you have only given evidence now of one speech of mine?—That is all. A few words just at the end of that meeting you spoke.

1372. Did you report many other speeches of mine?—Well, I reported, I think, at Edgeworthstown, county Longford, and once or twice in the county of Wexford, and other places I cannot remember.

1373. Several times, I suppose?—Well, we may say so.

1374. How many meetings would you say in Ireland altogether have you reported?—Well, you will not pin me to a number, you know.

1375. Oh, no?—I should say from 80 to 100 at least; that is, large demonstrations.

1376. I will take it a hundred. Of these hundred meetings, how many have you been called upon by the *Times* to give evidence as to?—Well, perhaps there were some three or four more than I expected to give evidence; there was one, I think in Gorey, and there was one in New Ross.



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1377. My question remains?—Yes, I cannot name the exact number for you.
1378. You must please endeavour. How many meetings have you spoken to on your oath in the witness table as having taken place out of the hundred you reported?—I have spoken to about six or seven.
1379. That is 6 per cent. You have been called upon to give evidence as to 6 per cent. of your experience?—Yes, quite.
1380. That is what I wanted to get at?—I did not understand the question exactly.
1381. First and foremost, I believe, you occupy the position of police instructor of shorthand?—I have instructed some men, a good many men.
1382. And how many police reporters are there in the Castle—either under you or not?—That is throughout Ireland generally?
1383. So far as you know?—I suppose there are 30 at least.
1384. How many of these men do you know have been subpoenaed here for the *Times*?—Well, there are a good many of them.
1385. How many?—A good many of them—perhaps 15.
1386. That is half?—Perhaps 15; I am not saying exactly.
1387. I take your statement. How many meetings do you know will they be called upon to prove?—I am not aware of that.
1388. You cannot say?—I cannot say.
1389. You have been reporting since the agitation began nearly 10 years ago?—I have—we will say eight years ago.
1390. Can you give any idea to their Lordships—rough idea—how many meetings were held in the year 1879?—There were some hundreds, I think.
1391. 1880?—There were a good many held in 1880.
1392. Would you say thousands?—Well, I would say hundreds.
1393. Would you say thousands?—Well, I cannot say thousands. I cannot on my oath say thousands.
1394. Were not there thousands of branches of the Land League?—I am counting public meetings.
1395. I will take everything. Were not there thousands of branches of the League?—Yes.
1396. Did not they meet fortnightly?—I believe so; some weekly, some fortnightly.
1397. Were not the proceedings public, and published in all the newspapers?—In some cases, I believe.
1398. I will take as a general rule. Give your evidence?—I saw reports in the papers myself; but I am not aware otherwise. I have no other knowledge except what I saw in the papers.
1399. So far as your experience went were the proceedings at these meetings not known to everybody?—To everyone who went in—the public. That is people who attended. I know the police attended in some cases in the beginning, and I think they were refused admittance then at many places.
1400. How many meetings would you say were held from start to finish of this movement—would you say there were 20,000 meetings held?—I would not.
1401. Well, give your estimate?—Do you include League branches and all?
1402. I will take your answer in the way you give it?—If you include League branches, the meetings of the branches weekly and fortnightly, there must have been thousands.
1403. Tens of thousands?—Well, I would say so. That is the local branches and all.
1404. You would say there were tens of thousands almost?—I would say there were ten thousand meetings, that is all the branches included.
1405. Can you give any idea to the Court out of these tens of thousands of meetings what per cent. of those have your corps of reporters been called here to prove as to?—A number of those meetings, that is the meetings of the local branches, I do not believe the reporters were there at all. They were never published, it was known they were held in the locality; but I do not believe reporters attended them. There may have been reports in some instances, but I am not aware of those.
1406. I will repeat my question. Out of the scores, dozens, thousands, units, or whatever they may be, of meetings in the possession of the Government, and consequently of the *Times*, what per-centage of them have your corps of reporters been



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brought over here to prove to?—I do not know really what meetings they purpose proving.

1407. You do not know?—I do not really know the number.

1408. You hardly stated to Sir Charles, I think, the date covered by this fortnight in the hotel in London?—The date was during the trial of *O'Donnell* against *Walter*. I think the case was expected to come on at an earlier date than it did come on.

1409. Was it the entire fortnight you were kept while the trial of *O'Donnell v. Walter* was going on?—I did not say the entire.

1410. Were you over here subsequently?—No.

1411. Then it was in effect the period of *O'Donnell v. Walter*?—That period.

1412. You heard, I presume, everything that took place: that is to say, there was nothing concealed from you in the room?—No, there was nothing concealed from anyone in the room.

1413. And you know who the reporters were under you? What is your exact relation towards these reporters?—I have no relation in the world towards them except men who make application to be instructed. They are brought up to the dépôt and I instruct them. I have instructed a good many that way. That is all the relation I have. I have done with them when they go away, and I have no more relation with them—no more than you have.

1414. They are in no subordinate capacity to you?—Some of them are subordinate in rank, that is all; and some of them—those men at the dépôt—while practising and under instruction, are under me, of course.

1415. What was the name of that reporter, while you were in court at Arklow, at the prosecution of the priests?—Maloney.

1416. Was he there?—In London?

1417. Yes?—No.

1418. You say you occupy no superior position to them in an official sense.—Not when they go away from me.

1419. Then when do you occupy a position of authority towards them?—While they are under me at the dépôt.

1420. Now I come to it. How many police reporters are under you at the dépôt?—Well, I should say there are a dozen perhaps. Some of them have never reported meetings yet; not since they came up there.

1421. There are a dozen police reporters under you?—A dozen men practising shorthand.

1422. Do any men coming up from the country report themselves to you at the dépôt?—Not to me.

1423. Are you cognisant of whom they report to?—Well, I am. There is an officer told off for duty during the day, and men coming to the dépôt or going from it notify their departure or their arrival to me.

1424. What were you doing sitting in court in Arklow?—I was doing nothing in it except sitting in it.

1425. Was it a portion of your duty to sit in court 80 miles from the dépôt?—Well, there were some speeches expected to be made there delivered in Arklow, there was another reporter there also. It was expected a demonstration would be held, my Lord, on the occasion of the prosecution of the clergy, and that speeches would be delivered.

1426. The witness on the table was a man whom you taught, was he not?—He was.

1427. You watched his performance?—I sat in court during his examination.

1428. Did you make any report on his performance?—No, I never wrote a line.

1429. Are you acquainted with the Constabulary Code?—I never wrote a line on his performance.

1430. Are you acquainted with the Constabulary Code?—I am.

1431. Will you tell their Lordships the substance of the rules which were recently printed with regard to the attendance of police shorthand writers at meetings?—I cannot tell you that because I have not read the last edition of the Code at all yet.

1432. This was in both the old Code and the new Code?—Those are official, my Lord, those instructions. I do not, except your Lordship directs me, feel that I can tell them anything in connexion with the Force.

1433. You cannot tell anything in connexion with the Force?—Not any instructions, Mr. Healy. They are looked upon, I believe, as privileged.



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1434. Is not this a printed volume?—Yes, it is a Code printed. It is a printed book, my Lord.

1435. As thick as an ordinary volume—a thickish book?—It is a thickish book.

1436. Twice as thick as your note-book?—Yes, more than that.

1437. And is everything that is contained in that Code secret?—Well, we are debarred from producing it, Mr. Healy, in public, except directed by their Lordships.

1438. Debarred from producing it?—In public court, yes.

1439. You are debarred from producing it in public court. Do you state that on your oath?—I do. We are not, except directed by the judges, or chairman of sessions, and magistrates.

1440. What is the statement at the beginning of the Code with regard to the production of the book?—I cannot exactly tell you what the statement is, Mr. Healy.

1441. Now your statement to the Court is, that there is a thick official Code regulating the duties of the Royal Irish Constabulary in Ireland, which is kept a secret from the public?—There is a book known as the Code of Regulations, which is in every police barrack in Ireland. That book is not produced to the public. Every policeman stationed has access to it, my Lord.

1442. Is every copy numbered?—There is a book supplied to every station.

1443. Is every copy numbered?—Well, I do not say that they are numbered exactly, but they are supplied us, and the name of the station is on it.

1444. In whose custody are they?—They are in the custody of whoever is in charge at the station. He is supposed to have the custody of it. He is accountable for it.

1445. Now, I ask you on your oath whether you can remember or not the directions in the Constabulary Code with regard to the police shorthand writers and the attendance at meetings?—I do not know, Mr. Healy, that there is anything included in the Code about police shorthand writers. I cannot tell you about that. There was not in the old edition of the Code, because, when that was printed, there were not such a number of meetings being held. I think the old edition was printed as far back as 1875, my Lord.

1446. Do you read the newspapers?—I do.

1447. Do you read the parliamentary proceedings?—I do.

1448. Did you see the rule with regard to police shorthand writers attending such meetings quoted in any recent parliamentary report?—I saw a code in some newspaper, and I believe I was also present when it was read by Mr. Harrington from a newspaper.

1449. So far as your acquaintance tells you, what is the rule in the Code as regards the duty of officers at meetings?—What the officers generally did?

1450. I do not want to know what they did. I want to know what the Code directs?—Well, I am not really able to tell you. There was no direction in the old Code, Mr. Healy.

1451. I will take it you will not tell me?—I am not really able to tell you, because I have not read through the new edition of the Code.

1452. You speak only as to one speech delivered by me?—That is all.

1453. It is stated that I told the people to pay no rent but Griffith's valuation. Is not that the substance of your report?—Yes, that is the substance of the report.

1454. Can you tell their Lordships what is Griffith's valuation?—Griffith's valuation was the Government valuation of the land.

1455. And in the year 1879 and 1880 was not the demand of the people to have their rents reduced to the Government valuation of the land?—Generally speaking, that is so.

1456. Was not that on thousands of platforms, the demand they made?—I heard that made at meetings.

1457. In 1881 a Land Act was passed, was it not?—Yes.

1458. And at the time of this meeting it had just passed, just previous to this meeting?—A very short time, I believe, it was law.

1459. And the rents were then to be fixed?—By the Land Commissioners.

1460. So that they would no longer be in the hands of the landlords to fix arbitrarily?—No longer.

1461. Now with regard to outrages, you are acquainted with the grand jury system I presume?—Yes, well I have been examined at sessions, road sessions.

1462. With regard to compensation for outrages?—Yes, and I opposed some of them.



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1463. As policeman you opposed some of them?—I did.

1464. That is interesting. In what county?—In Kerry.

1465. May I ask you why did you oppose them. Was it because they were bogus?  
—There was one believed—one outrage—

1466. You can give your explanation, answer my question. First, and foremost, tell their Lordships whether the policemen can make claims for hay, houses, and anything which may be destroyed or burnt?—That claim was not granted.

1467. Is a portion of the grand jury system in Ireland a system whereby when any outrage occurs compensation can be levied over the county?—When an outrage occurs, the person upon whom the outrage is committed has to make informations. Then notice is served within a certain time, and he makes application at the road sessions. If it is entertained then by the members of the road sessions it goes to the grand jury. If it is entertained it goes before the grand jury.

1468. And the grand jury can levy over the county any sum they please?—Well, I never knew an instance where they levied more than what has passed the road sessions, I did not know myself.

1469. Take it any way you like. Tell their Lordships who are the grand jury?—The grand jury are the higher class of ratepayers in the country, the gentry in the country, gentlemen farmers of the country.

1470. Who selects the grand jury?—Well, I am not able to answer you that precisely now, Mr. Healy.

1471. Is it not the sheriff who selects the grand jury?—I am not able to answer you that precisely.

1472. Did you ever know a Catholic to be placed on the grand jury?—Oh, yes, I have seen Catholics on the grand jury.

1473. Take the County of Kerry, where were you last?—I was in County Kerry. I could not really tell you the persuasion of any of them.

1474. The grand jury consists of 23 men?—Yes.

1475. What Catholics did you know on any grand jury in Kerry?—I could not really tell you, nor I could not tell you the persuasion of any of the men, I could not really tell you.

1476. The landlords composed the grand jury?—The gentry of the country—the higher class of ratepayers; that is, gentlemen who paid the highest amount of rates—gentlemen farmers, gentlemen; landlords, as you say—owners of land.

1477. Do the grand jury pay any of the rates that they levy on the people? Who pays the grand jury cess in Ireland?—The grand jury cess is paid by the farmers—the farming class of the country. If any farm is on the hands of the landlord, I think they have to pay for those farms.

1478. That is, if they evict the farmers they have to pay the rates?—Yes.

1479. And there is no other occupier?—Yes, it is the occupier who is in possession of the land.

1480. Now, with regard to outrages. If a haystack is burnt the man immediately makes a claim?—Usually, if it is malicious, he reports it to the police, and the place is visited, and the outrage inquired into.

1481. Who is the judge of the malice?—It is generally at road sessions. There is a vote taken.

1482. Please never mind road sessions at all. Who is the judge of the malice?—The majority of those present at the road sessions. It usually goes through those first. They ask a vote whether they can find that malice was to be seen in the case, and if it is found then for the amount.

1483. Have the people at large any choice or possibility of controlling who shall be the grand jurors or the road session men?—I am not aware that they have.

1484. Do not you know they have not?—Of my own knowledge—well, I believe they have not, if they are not elected.

1485. Did you ever know an election for grand jurors?—Never.

1486. Did you ever know an election for road sessions?—No, never.

1487. In the case of how many outrages have you opposed claims for compensation?  
—Well, that was the only one.

1488. What was the man's name?—McCarthy.

1489. Was he a Nationalist?—No, he was not, I believe.

1490. What was he?—He was a farmer. I may tell you about the outrage now generally. The impression and belief—



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1491. You need not tell me anything because you will tell me nothing favourable; I am quite sure of that. You must answer my question. Let the Crown get it out of you?—I did not know what the man was.

(*The President.*) You must not make remarks of that kind.

1492. (*Mr. Healy.*) If you have any explanation to give, give it to the gentlemen representing the *Times*?—I am answering you as fairly as I can.

1493. Did you ever hear of allegations that outrages were committed for the purpose of getting compensation?—I never knew a case of the kind except that one I have mentioned.

1494. Did you ever hear it said?—It has been alleged.

1495. Did you ever hear it said?—It has been alleged.

1496. It has been alleged?—Yes, it may have been alleged in cases.

1497. Has it been generally alleged?—Not generally.

1498. What other county did you attend the claims for compensation in?—I attended County Wexford.

1499. Did you attend in Galway?—No, I did not attend any in Galway.

1500. How many claims for outrages have you known to be made to a grand jury in Kerry?—Oh, a great number, a great many.

1501. What would be the total in a year, what amount of compensation levied on the people?—Well, I think that year in Kerry it increased so much that the chairman at the road session, Mr. Coltsman, I think, he made a short speech asking or requesting that the people would assist in the suppression of these outrages in every way they could, so as to reduce these amounts of compensation. It was getting very large, the amount was growing larger year by year.

1502. I have asked you the amount?—Well, I do not know the amount exactly. I know it amounted that session to something over 1,000*l.*, 1,500*l.*, I think.

1503. Do you remember the trial of Mrs. Lucas?—I do not. I remember reading it in the newspaper, but I have no other knowledge of it.

1504. Do you swear that it has not been generally alleged, that hay and so on was burnt for the purpose of getting compensation from the grand jury?—I told you in some case I have heard it alleged, but I do not know myself about it.

1505. Has any person of popular politics any chance of having his case fairly dealt with by a grand jury?—Why would they not have a chance? They would if he is represented at the grand jury, if he is represented there.

1506. You swear it is a perfectly impartial tribunal?—I swear I believe that.

1507. And that persons who are in favour of the landlords, who may be a cause of getting up outrages, do not get undue compensation—that there is no incitement to make these claims for compensation?—I have never heard it.

1508. I will take the case of Mrs. Lucas—that was the County of Cork?—County of Cork.

1509. Who was Mrs. Lucas?—She was the wife of a magistrate—some gentleman—I have no knowledge of it.

1510. (*The President.*) Do you know anything of your own knowledge of this case?—Not a single ha'porth.

1511. (*Mr. Healy.*) Did you hear it alleged?

1512. (*The President.*) But when he has told us he has no knowledge?—I have no knowledge beyond seeing the paper.

1513. (*Mr. Healy.*) Did you assist, being a local constable, in making up statistics?—I have not assisted at that. The statistics are usually made up by the district inspector, and of late years those officers have got clerks.

1514. Whose duty is it, in making up these statistics to decide as to whether the outrage is agrarian or otherwise?—The outrage is reported, and it goes on to some superior authority—the Inspector-General I should think, my Lord, would decide whether it is, when all inquiry is made into it.

1515. If a man's hay is burnt, who would decide whether that will be recorded in the statistics as an agrarian outrage or not?—Well, I should think the Inspector-General of Constabulary.

1516. But besides that?—When he has all the reports and all the inquiries made on it before him he reads through it and then decides—I believe it is the Inspector-General.

1517. Now at the time of this famine at the time of the distress in Ireland—can you state whether it would be possible for the people who held land to get relief from the



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Guardians without surrendering the land and going into the poor-house?—Is that in 1848?

1518. No, in 1879-80. Did you ever hear of the Quarter Record clause?—No.

1519. Can you state to the Commission whether the people could get any relief either in-door or out-door from the guardians without surrendering their land?—I am not aware of that. I cannot say. I have seen people at the workhouse seeking relief, such as potatoes—seed potatoes.

1520. That was under a particular Act—the Seeds Act?—Yes, under the Seeds Act, but I have no other knowledge of it.

1521. Have you seen *Parnellism and Crime*?—I have read through some of it. Yes, the whole of it.

1522. When did you read it?—Well, I think it is about 12 months ago since I saw the pamphlet first.

1523. How many thousand copies of it were sent round to the police barracks in Ireland?—I never saw a copy in the police barracks, never.

1524. Did you ever hear the allegation that bundles of it had been posted to every police barracks in Ireland?—No, I did not. I never saw a copy in a police barracks in Ireland.

1525. Very well, I will take your answer. One of the allegations made against us concerns the murder of Patrick Leary. Were you in Castleisland or in Kerry. Patrick Kelly of Knockmaree?—That is a very long way from Castleisland. I know nothing about that—nothing.

1526. Did you know—it is very near your district—who would be the police officer who would have to deal with that?—When did the murder occur.

1527. It occurred in October 1881, or it may have been September?—I cannot exactly say whether Knockmaree is in Killarney or the military district, it would be the person who was there at the time.

1528. Where were you at the time?—I was reporting meetings. I was in Dublin at that time. I did not know anything about that murder, nothing whatever.

1529. You cannot tell me the name of the officer who would be in charge?—No.

1530. Have you ever been employed by the Government to attend trials in Ireland, apart from acting as a witness?—Never, except when summoned as a witness; except when directed to attend as a witness attending the trial, or to attend on some duty in the courts.

1531. Did you ever attend the Cork assizes?—Oh, I attended the Cork assizes as a witness.

1532. As a police note-taker?—Oh, no; never, never.

1533. Can you state what is the average number of police in their district? Now, take the County Killarney; that is where you were stationed, was it not?—No, Castleisland. I was stationed at Killarney first in 1876 and 1877.

1534. Take Castleisland. What was the number of people in Castleisland?—In the town I should think there are about 1,500 people.

1535. How many police?—Well, when I was stationed there—that is, attached to the station—some, of course, my Lord, were out in the protection posts, but the numbers stationed there were about 60 men—64 men.

1536. Was that for the 1,200 people?—Well, I tell you, some of those men were employed in protection posts; that is, two might be at a house at one place in the district, two at another, and so on, and a number of others used to remain outside all night for the protection of these people.

1537. Sixty-four men to 1,200 people! How many schoolmasters in the district?—Well, if you take the district round, it is a large district.

1538. Answer the question as well as you can?—I suppose there are a dozen at least.

Cross-examined by Mr. DAVITT.

1539. I have only one or two questions to ask, and I will not occupy more than three minutes, my Lords. Have you reported me at many meetings round?—I have met you at a few, not very many.

1540. Do you recollect meeting with any discourtesy at my hands at those meetings?—Personally, not a bit.



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1541. Personally not?—Not the slightest.

1542. Do you recollect at any of the meetings I addressed in 1879 my warning the Government if relief were not given, famine and disturbance would ensue?—I was not present at any of the meetings you addressed in 1879.

1543. Do you recollect me warning my audiences against outrage and crime?—I have heard you address meetings warning them against the commission of crime, that is in Kerry.

1544. Was that in Castleisland?—Castleisland.

1545. Have you any further general recollection of what I said there without troubling you to read the speech?—I have not the speech with me, neither did I take it. I was listening to your speech, you stated generally you came there at the request of certain people to advise the people to abandon the commission of outrages in the form of cattle-lifting, and so forth, and that anyone who would steal cattle should be tied to a cart-tail and whipped. I think that was the word used.

1546. Do you recollect my denouncing moonlighting very vigorously?—I believe you denounced moonlighting and cattle-lifting.

1547. You known I always denounced landlordism pretty strongly at the meetings?—I believe you have.

1548. Do you recollect me directing any denunciation against any individual landlord or bailiff, or any other persons?—I have never known you to mention names—except perhaps I think you mentioned Shirley.

1549. In the way of denouncing?—I think it was warning him about the serving of writs, and something of that—that is the people—advising them how to act with regard to this landlord.

1550. And advising him to settle with the tenant?—And advising the people how to act generally. That speech if you require it, I think I may be able to read it for you.

(Mr. Davitt.) Very well. I will try and find it.

#### Re-examined by Mr. MURPHY.

1551. You have been asked by Sir Charles Russell about the objects or occasions on which you reported the speeches. Sometimes before an eviction; sometimes afterwards. Have you reported speeches that have been held for the purpose of of initiating and establishing branches?—Certainly, a number of speeches were made; such as at the Cork demonstration.

1552. You have told us that the ordinary course of business was to return the transcripts to your superiors?—Make out my report and send it in.

1553. And they were sent to you or you have obtained possession of them when you came here?—I got them a few days ago.

1554. Have you been allowed to keep them every day or have you had to return them?—I had had them since in my possession, and I handed them to you.

1555. A question or two about this room in which you took down the statements of some people. Was there any other room in which the witnesses could assemble and remain to your knowledge, except that room at the Inns of Court Hotel?—No, there was not. I believe that room was set apart for the purpose.

1556. Witnesses who had been subpoenaed on behalf of "The Times"?—Witnesses who had been subpoenaed on behalf of "The Times."

1557. Did waiters come in and out?—Yes, certainly; the door was open.

1558. Everyone who came in saw what was being done?—Yes, saw what was going on.

1559. You have been asked about Mr. Boyd being there. Who is Mr. Boyd?—He was sessional Crown solicitor for co. Kerry.

1560. Do you know whether he was a witness there on any particular matter or not?—I believe Mr. Boyd to be there as a witness.

1561. With reference to what particular matter do you know?—My belief was, it was about the attempt to murder Mr. Boyd, on the occasion when his son lost his life at the outrage at Ross.

1562. About your knowledge of the West of Ireland, where you were stationed for sometime, speaking generally, before the year 1879 and 1880, were Kerry and Galway fairly quiet or not?—Kerry was very quiet, so quiet that policemen used to go singly for miles on their duty.



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1563. Were such outrages as the maiming of cattle or the maiming of individuals known in that county?—I knew of none.

1564. Was boycotting known in that district, or anywhere, so far as you know before 1879 and 1880?—Not to my knowledge.

1565. And was the term “land grabber” known?—Not to my knowledge.

1566. Was it within your knowledge that individuals were often interfered with for buying and selling land?—Oh no, except family disputes.

1567. The Land League branches were established, you have told us, about what time, in Kerry and Galway?—In 1879 and 1880.

1568. Did you notice any increase or otherwise in the outrages soon after the Land League branches were established?—Well, outrages increased there from 1881. I will say in Galway there were a good many outrages in 1880. That is in the portion I was stationed in.

1569. And Kerry?—I was not in Kerry at that time.

1570. Your knowledge then is principally of Galway is it?—Of Galway; that is so.

1571. Was the number of police increased to any extent?—In Galway?

1572. Yes?—Considerably.

1573. Was that before or after these Land League branches were established?—In 1881 the police force was increased.

1574. We shall have the figures from somebody else?—I am not able to give you the figures.

1575. Was there difficulty in detecting crime about that time or not?—Very few were brought to justice, very few.

1576. You have been asked as to whether or not the Moonlighters and Land Leaguers were on good terms. Is it within your knowledge that any or many Land Leaguers were Moonlighters?

(*Sir Charles Russell.*) What does my friend mean by his own knowledge?

(*Mr. Murphy.*) His general reputation. He has been cross-examined about his general knowledge arising from any source.

(*Sir Charles Russell.*) As to the general question I agree; but as to particulars and persons—

(*The President.*) You can put it in a general way. He has been asked a good deal about general points.

(*Sir Charles Russell.*) I quite agree he has; but what my friend is now asking is whether particular persons who committed outrages who are called Moonlighters were connected with the Land League.

(*The President.*) If he did know it would be most material. Are you asking it with regard to particular individuals?

(*Mr. Murphy.*) No, generally in answer to my learned friend, who suggests that Moonlighters and Land Leaguers were opposed to each other. I want to ask to what extent.

1577. To the best of your knowledge and belief, were the Moonlighters in league with the Land Leaguers in many instances or few?—In many of the counties throughout Ireland most of the people had joined the League. In very few instances could I name a particular individual, my Lords, I might say “reputed” members; but I could not say of my own knowledge.

1578. I think you told us one instance in which something was said about revolver boys. What was that case?—That was in answer to Sir Charles. I said there was a man in co. Kerry who took a very prominent part in politics, and he told me it was taking him all his time to keep the revolver boys in order; and one man was named to me then as the captain, and he said that he could not keep him quiet at all.

1579. A prominent part in politics; in what sense do you mean? Was he or was he not a Land Leaguer this man?—I could not say of my own knowledge, but I understood from him he was. He told me was.

1580. What year was it that he said he had a difficulty in keeping the revolver boys in order?—That would be the autumn of 1886, in the district of Castleisland.

1581. What was the occasion of his saying this to you?—Well, the occasion was there was some races being got up in the locality, and they wanted to have a purely national race, and some were opposed to that, and others were not. The rumour went about that General Buller was to visit the races. This man had heard of this, and sent for me, and told me he had heard of this and said, “We will give General Buller a



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BERNARD O'MALLY.

[Continued.]

"reception. He is not a bad sort of man, we will give him a reception when he comes to the races on this occasion, but I am afraid the revolver boys will not stand it." After the races he was speaking to me on the course, and he told me "we could not give him a reception, it will not do, but we will treat him with the utmost respect during the day." If the people of Castleisland or the Castleisland band played on the occasion, that it would never do if that appeared in print in America; that it would never do; that the revolver boys would not stand it. General Buller did attend the races, my Lord.

1582. (*The President.*) Who was it, you say, said this?—I did not name the man.

1583. (*Sir Charles Russell.*) You had better name him; he had better be named?—Morris Murphy, of Castleisland.

1584. (*Mr. Davitt.*) At the hotel?—The hotel-keeper, you know, Mr. Davitt.

1585. (*Mr. Murphy.*) Did he say when it was that he was anxious to keep them quiet, or commenced to keep them quiet?—He was anxious to keep them quiet, and I understood him also, in the course of conversation, that he had been in communication with some members of the then Government of the day.

1586. (*Sir Charles Russell.*) You said the autumn of 1886?—The autumn of 1886. I understand that somebody on behalf of Mr. Gladstone—

1587. (*Sir Charles Russell.*) That Government was Lord Carnarvon's, I think.

(*The Witness.*) He used to boast about those letters; that he was hailing from so and so.

1588. (*Mr. Murphy.*) About this man, Squab Nally, whoever he is, have you seen him on platforms?—I have not; I have not seen him on platforms.

1589. Then what you know about this gentlemen is what somebody else has told you about him?—What I have heard about him generally.

1590. You have been asked about secret societies in Kerry. Have there been branches of the Land League in the same district where there have been secret societies?—I believe there have been branches, but I was not there during the Land League time in Kerry. I believe there have been.

1591. Before passing to another subject, before these branches were established, have you ever known a man punished for paying his rent, either by Moonlighters or in any other way?—Kerry was very quiet when I was there; very quiet.

1592. You have been asked by Mr. Healy about claims made for compensation to the grand jury. Have you known any of these claims made?—I have been present when a fair share of claims were made.

1593. And only found it necessary to oppose one?—I found it necessary just to oppose one.

Mr. BERNARD O'MALLY re-called.

(*Sir Henry James.*) My Lords, we will put in the transcript of the three speeches that we undertook to put in, when Mr. Bernard O'Mally was called. The reference to the speech is page 345 of the proceedings. It was a speech at a meeting held on the 19th September 1880, at Kilconly by a person named Patrick Gordon. The witness has made his transcript from his notes. I understand from Sir Charles Russell that he prefers having this speech read instead of it going in under the new arrangement.

[The document was put in and read, and was as follows:—]

"Kilconly, 19th September 1880.

"Mr. Patrick Gordon, said: Mr. Chairman, ladies, and men of Kilconly, I am proud to have the honour of addressing you here to-day as men of my native county; but I regret to see that a dozen or two has come in here into this parish to cause disturbance amongst the gallant sons of Kilconly. I have received an invitation to attend this meeting a fortnight ago, and I received another yesterday, from the secretary, stating that a dodge was got up to prevent this meeting. There have been placards got up that they came from the secretary of this meeting. I sent telegrams to the Land League, and the reply received, in hearing from them, was that, for your life I'd be in Kilconly to-day. My friends, I do not wish to say anything to men who wish to disturb this meeting, people that want to have the things done by the point of the bayonet, and not by speaking. If they are prepared to fight for Ireland at



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[Continued.]

" the point of the bayonet, I am ready to do so along with them; but we must  
 " try to get our rights from the Government of England."

(*The President.*) " Without bloodshed " ?

(*Sir Henry James.*) Read your note, please.

(*The Witness.*) " Without bloodshed."

(*The President.*) I am reading from the note at page 345.

1594. (*Sir Henry James.*) I am much obliged to your Lordship. I believe you sat up all night to make this?—Yes.

(*Sir Henry James, reading on.*) " They tell us if we arm in our numbers and demand justice, we will get it. Now we have " —

(*The Witness.*) Allow me, if you please, to say this: On reading this from the notes on the last day I was in the box I said it was " armed "; it is " assembled."

1595. What is your system of shorthand?—Pitman's.

1596. Phonetic?—Yes.

(*Sir Henry James.*) " Now, we have assembled in our thousands, and if all fruits  
 " fail welcome laws; and if we fail to get justice, let us all strike a blow for  
 " the destruction of landlordism. But to do this we must unite as one man  
 " under the National League, and swear before high Heaven that the land which  
 " God has created for you, you are determined to hold it. I will tell you a few  
 " facts of landlordism in this county. You have heard of the nobleman who  
 " styles himself Lord Oranmore and Brown (groans); he who bartered his name  
 " in order to make money, and took the name of Guthrie.

" There was a man in Scotland who made a will, and said no man should  
 " marry his daughter who would not take the name of Guthrie. He was not  
 " like the herring, who never sold his body for his belly. Mr. Redpath came  
 " into Mayo, and they say I am a busybody. I made myself so busy as to take  
 " him to Lord Oranmore's property. I brought Mr. Redpath into the cabins of  
 " the unfortunate people, and I pledge myself here as an Irishman that that  
 " American gentleman wept outside one of the cabins. I brought him into the  
 " cabin and said, Mr. Redpath takes notes of Lord Oranmore's tenants. Here is  
 " the bed for the people, here for the ass, and here for the pig. The three  
 " apartments were in one room, and I told him there was not a bit of covering  
 " in the house that you would give a fourpenny-bit for. It is true Lord Oranmore  
 " has not evicted the tenants. He has put them into bad places, and took them  
 " from the land of their fathers, and left only a man named Heneghan. He has  
 " transported them into the bog, and gave them the name of five acres. I ask  
 " you what is the cause of poverty in Ireland. It is because the money has been  
 " taken away. They have swept it to France and the continent. They have  
 " sent orders to the agent for rent; the unfortunate tenant could not pay. They  
 " said to the agent you must collect my rents, Miss Louise is going to Paris.  
 " Mr. Charley is going to join the Church, and they must get money. Not a single  
 " landlord in Ireland subscribed 5*l.* for the relief. It was the Americans that  
 " landed their dollars which is keeping you on the land. It is not the Government  
 " of England or the landlords. The Government tells us that because we want  
 " justice we will not get it. It is like the schoolmaster who held up bread to the  
 " children and says: If you ask it you will not get it, and if you don't ask it  
 " you don't want it. I tell the Government that the hour is approaching when  
 " they will be sorry for not taking up the land question themselves, and the  
 " landlords, too, will be sorry. There is a picture in 'The Weekly Freeman'  
 " this week, one landlord says that he cannot meet his people because he has  
 " so many pieces in the seat of his breeches. Well, my friends, it is time that  
 " the landlords of Ireland should have pieces on their breeches, for I have met  
 " them rolling in their carriages, and the poor tenants wearing as many pieces  
 " as there are colours in the rainbow; but I say there are people to-day in  
 " Ireland. The national spirit is up. I ask you not to quarrel with one another.  
 " Let every man work in his way for the comfort of his country. Let you swear  
 " before high Heaven that you will never rest content and never sit down silent, as  
 " slaves, until that accursed system is swept away from Ireland. Well, my friends,  
 " I hold a document in my pocket, and perhaps some one will call it a valentine.  
 " Well, remark, this landlord holds in Ireland 24 properties, and out of the 24  
 " properties his father never paid 4*l.* His uncle plundered the people of 18,000*l.*,



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[Continued.]

“ and he had to fly to France after buying the property ; his name is John Nealon  
 “ Farrell, of Knockboy. He went to the courts and bought up these properties  
 “ one by one. He went and raised the money in the bank, and got it by forging  
 “ bills on the tenants until the bank came down on him, and he is now in France,  
 “ and we may call him a bankrupt. The Government of England will make  
 “ posting the processes on the wall legal. If you have a process to serve for a  
 “ cow or a sheep or something else, the law is changed immediately, and the  
 “ service is not good. There is a case too, which I noticed the other day in  
 “ ‘The Freeman.’ You must have heard a few months ago that some land  
 “ robber in the co. Meath or some county in Ireland, he meant to act the bully,  
 “ and shot down one of the tenants. That man was brought up, and the judge of  
 “ the assizes said that the law was made clear, that every man is bound to protect  
 “ himself, even at the taking down of the life of another, and if that is a good law,  
 “ the tenants ought to adopt it, but I am quoting the words of the judge, and if  
 “ the judge was wrong, it is not my fault. I tell you to resist tyranny, even  
 “ at the cost of your life, and I tell you as I have said already at many  
 “ meetings, that it is better to die fighting than die in the workhouse.  
 “ Don’t be as in ’47 and ’48 when the people died on the roadside, and  
 “ were buried even without a coffin. Now you see that the policy of ’47  
 “ would be carried out in ’80, but the people in Ireland are a different class  
 “ of people. I am proud to tell you that the spirit of the Irish people has gone  
 “ across to Scotland. The Scotch people are going to commence a Land League  
 “ of their own. The only way you can prevent this, is every man and every  
 “ woman to join the Land League. The Land League will protect you in the  
 “ hour of need, even if the landlord will enforce an eviction. They will oppose  
 “ the Government, and the landlords for the tenants. Every shilling of your  
 “ earnings have been swept away to support aristocrats living in luxury in other  
 “ countries. I will ask you again to proclaim, here to-day, as honest men before  
 “ God, not to give up your land without a struggle. (A voice: Not at the  
 “ point of the bayonet.) I will ask you here my friends to repeat the pledge  
 “ you have made at several meetings—let no land grabber be found amongst  
 “ you to watch the downfall of his neighbour, to take his little farm. You  
 “ remember when one land grabber was watching his neighbour’s farm in  
 “ order that he might grab it, and he would do the same to-day, only that  
 “ public opinion is brought against him. Do as they did in Sligo. Every man  
 “ refused to work for the blacksmith, and the Land League brought up a black-  
 “ smith, and the Land League in Dublin sent 10*l.* to carry on the business.  
 “ Now, if you do the like you will bring the landlords to their knees. There is  
 “ no way to do it but by uniting as one man and avoiding squabbles amongst one  
 “ another. I suppose the land robbers here would ask you to do as in the years  
 “ past, and have your hat in your hands. By all means respect a gentleman, but  
 “ there are a class of land grabbers who would expect you to have your hat in your  
 “ hand always for them.

“ I will repeat what I said some two Sundays ago. There was a young landlord  
 “ who came home from the Continent and brought a dog with him. The old man  
 “ said you are welcome home landlord ; yourself and your dog are fine gentlemen.  
 “ I know the dog in the kitchen got better food than the tenant. The dog was  
 “ racked and combed while the unfortunate slave on the property was despised  
 “ by the landlord. He would be hunted out as there was no regard for  
 “ him, and I say there is more regard for the black slave than for the  
 “ white slave in Ireland. If you think it was the same God that created  
 “ you and the landlords you would have self respect for yourselves. If  
 “ you consider that the landlord is made of different quality from you,  
 “ you should also consider that there were two Gods, one for making you  
 “ and one for the landlords ; but if you say it is the same God, then I say  
 “ respect yourselves. Have no bowing and scraping before these land robbers  
 “ and land bastards that are surrounding the locality. Yes, my friends, I ask  
 “ you to give three cheers for O’Leary and Rafferty, and in response I will ask  
 “ you to give nine cheers for every honest Fenian in Ireland. I’m glad some  
 “ friend in the crowd has given me help. Mr. Gladstone, one of Ireland’s best  
 “ friends, he said that the only measure that was given for Ireland was granted



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[Continued.]

“ by the bold determination of Irish Fenians. I say, if you are an honest  
 “ Irishman, you must be a Fenian. There is no man in Ireland who is not a  
 “ Fenian who is not a snake; he is an honest Irishman, and determined to resist  
 “ that system that has crushed the people. If he is an honest Irishman that  
 “ says I wish to see my country free, he must be a Fenian. If taking a part in  
 “ this land question makes a Fenian of a man, I protest here to-day that I have  
 “ taken an active part in this agitation. I have not spent six Sundays in  
 “ Claremorris the last 18 months. I have travelled three counties, and if  
 “ that makes a Fenian I declare I am one. I ask all the young women of  
 “ this parish to become a sisterhood. Let them swear before God that the land  
 “ is created for their use, and that they will assist their brothers until there is a  
 “ better time in Ireland. My friends, I don't wish to detain you any longer, as  
 “ there are others to follow. There was a little confusion at the beginning;  
 “ thank God that is now over. It is said that when we have no enemies to fight  
 “ with, we fight with one another. Well, it is only for amusement we fight with  
 “ one another. I see that the Government was afraid that this meeting would be  
 “ a small one, for they have sent an extra force here to-day. Let me not be  
 “ understood that I am offering any insult to the Irish police. There are honest  
 “ men amongst them. There are men in them whose fathers have been sent from  
 “ their homes. There are police to-day in Ireland that the landlord robber, with  
 “ the force of the bayonet, has driven his father to the workhouse, and his mother,  
 “ and by some little influence or other, has got him into the force. It has not  
 “ made him a bad man, and I tell you here to-day that there are good men in the  
 “ Irish Constabulary. We cannot blame the police; but we are blaming the  
 “ Government of England to-day. Let us not fight against the police. In con-  
 “ clusion, my friends, I will ask you that there be no disunion amongst us. We  
 “ are all fighting for the independence of the country, perhaps in different  
 “ ways. This is in order to get shut of that cursed system. If I am  
 “ going to Claremorris by a particular road to-night why should I prevent  
 “ another man to come that way. I do not fall out with the man who says that  
 “ the best way to get shut of that cursed system in Ireland is at the point of the  
 “ bayonet. I tell him here to-day that if he be prepared to carry it out at  
 “ the point of the bayonet I am prepared to follow him. I will ask you to watch  
 “ parties who go about you, who pretend to be your friends. The Government of  
 “ England have detectives amongst you. They are here. They are on the  
 “ platform. You should also have your detectives; and I ask you to watch  
 “ yourselves, for the hour is approaching.” (The remainder was lost in cheers  
 and shouting.) (Cheers.)

(*Sir Henry James.*) Then, my Lord, the second speech was mentioned at page 346.

(*Sir Charles Russell.*) Still Galway.

(*Sir Henry James.*) The 3rd of October, at Abbeyknockmoy. There are two speeches at the same meeting. One is by the same person, Patrick Gordon.

[Document put in and read, and is as follows:—]

“ Rev. chairman, ladies and men of Galway. I'm proud to have the honour  
 “ of addressing you to-day. I'm addressing my native county; but I have the  
 “ honour of representing the noblest county in Ireland, Mayo. I'm thankful for  
 “ your invitation to the meeting, and I have left a meeting within five miles of  
 “ me to give a helping hand in establishing a branch of the Land League here.  
 “ Allow me to tell you that at this meeting you have traitors to your cause.  
 “ You have men amongst you who have made capital of your poverty, but you  
 “ have amongst you four pillars of the Church of Rome, and you have also on  
 “ this platform the representative of the real soggarth aroon in Father Eglinton,  
 “ and though last, not least, the Rev. Father Butler. Now I have done with the  
 “ priests. They are a class in themselves. But I want to speak now about  
 “ landlords who surround this locality. I heard an amount of praise given  
 “ to some landlords, but unfortunately in Ireland a good landlord is as scarce  
 “ as a white blackbird. I have known one landlord since I was born in  
 “ Tuam, and his name sinks deep into my heart. I will not screen the  
 “ name of that land-robber, Robert Henry, of Togher. I have seen him yesterday  
 “ in Tuam with a very smooth face upon him, and they say the greater the rogue



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[Continued.]

“ the smoother he goes. He is one of those land sharks. When I see before me  
“ the motto of that independent nation, the Stars and Stripes, I hope and trust  
“ that the day will yet arrive when the Stars and Stripes of Ireland will float on  
“ the hill-tops of Ireland. I am not under any obligation to the Land League  
“ or neither to you. Some one might say that Gordon came because he is well  
“ paid for it. (No, no.) Yes, I am well paid if the land shark is crushed to the  
“ earth. Let you commit no crime that will implicate you with the Government,  
“ for that bloody Government is watching every act of yours, that they might  
“ steep their hands in the blood of the people, as they did in the days of  
“ persecution. They have given you a sham Bill and they gave the same power  
“ to the land robber, and they will tell you that if you have patience you will get  
“ everything. It is this. A boy in the school says, hold up your fist, fellows,  
“ and says, if any of you ask for bread you will not get it, and if you  
“ don't ask it you shall not get it. They said if you ask and demand  
“ justice you shall get it. We have demanded justice and we are told now,  
“ in our poverty and distress, that because we ask justice we shall not get it.  
“ I ask everyone of you to hold up your hands and pledge that you  
“ will take no land from which another has been evicted. I will ask you to keep  
“ that pledge. Let the land go waste. If there is a tenant evicted, let some  
“ other tenant take him into his cabin, and let no other man to come and gobble  
“ up that man's industry. [The remainder of the sentence was lost.] We have  
“ been told that the Irish tenants were extravagant in the past, and because of  
“ their extravagance they are in poverty. Well, there is not on the face of the  
“ earth a worse-fed people. I ask you to cheer for the Zulus, because they have  
“ stood up nobly, and fought against the Government who slaughtered them.  
“ I ask you not to allow the Government to starve you on the roadside. A great  
“ poet said that Ireland was a nation worth loving, and a land worth fighting for.  
“ I say it here to-day. On this day week I had the great honour of attending a  
“ meeting at Clonbur. I had no idea of being there until the Rev. Father  
“ Conway, the poor man's friend. I received a telegram, because he suspected  
“ that the letter did not reach me. Well, when I arrived in Clonbur, I had the  
“ pleasure of hearing that some great land-robber was murdered, or shot  
“ himself. The Government of England were mourning because Mountmorris  
“ was shot. I don't approve of murdering anyone, but I say that the  
“ Government of England did not go into mourning when the people were  
“ starving. Within one week in the parish of Claremorris the coroner held  
“ inquests on the bodies of 13 children who were starved on the roadside. Now,  
“ did the Government of England go in mourning for them? We are told in  
“ Scripture that the blood of the innocent cries to Heaven for mercy. Then I  
“ ask you will not the Government be responsible for the murder of these infants?  
“ Well, 13 is nothing compared to the people of Ireland. Look at the father in  
“ one place, and the mother in the other. I ask you here, as honest Irishmen, is  
“ it not better for you to die a victim at the doors of your cabin than to starve  
“ in the workhouse? The man that goes quietly to the workhouse is nothing but  
“ a white slave. God, when creating the land for the people, he said: 'You  
“ will cultivate the earth and earn your living by the sweat of your brow.'  
“ I ask you to count in your memory all the land thieves around you here. Have  
“ they earned one shilling in their lives? They write to the agent and the agent  
“ sends out the land sharks. The drive is: 'There is an order from the master.  
“ 'Mr. Charles is going to the continent. Miss Lamensia is going to Paris, and  
“ they want money.' In the town of Tuam I have seen unfortunate victims die  
“ on the roadside and carried in a mat without a coffin to bury them. The  
“ Government got shot of the people and the landlord had no poor rates to pay  
“ for the coffin. Well, the people of Ireland to-day are not going to lie quietly  
“ down on the roadside. No, they are not going to allow their friends to be  
“ buried without a coffin. I say in the presence of my priest that the hour is  
“ approaching when every Irishman will be called upon to stand up boldly  
“ to assert his rights. I am not here to have my speeches reported. I do not  
“ care if it does not reach that wall so that every Irishman and Irishwoman  
“ before me shall carry it home in their bosom. The man who has not a spirit  
“ of nationality in his bosom is lost to his country.



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[Continued.]

“ There is one of those big bugs, and I will refer to that nobleman who goes  
 “ by the name—why it would take me an hour to report them. I said to  
 “ Mr. Redpath that that gentleman had as many names as the Ten Command-  
 “ ments—Dominick, Lord Oranmores Brown. (Groans, and down with him.)  
 “ I had the great pleasure, or great honour, if you like, of speaking to him once  
 “ in my life. He asked me why I headed 500 persons to the graveyard of ——.   
 “ He was not content to evict the living until he would evict the dead. I said  
 “ you could not bestow a greater honour upon me than to say I headed 500 men.  
 “ I think it is more than you could get to follow you. Now, that gentlemen  
 “ described in the House of Lords that he never evicted a tenant. That may be  
 “ true for him. But if he did not send them to America, he sent them from the  
 “ good land to the bog. He attacked Mr. Redpath, and I said you can  
 “ accompany me to Lord Oranmore's property. I said, take notes of his property.  
 “ The people were in the corner, the pig there, and the ass there. The  
 “ three in one apartment. I brought him to another house with only  
 “ a little child. I asked, ‘Where is your father?’ In England. Your  
 “ mother? Binding oats. Did you get your dinner? I did. Who got it  
 “ ready? Myself. Had you milk? No, nothing. Now there is the lord of  
 “ the soil who spends his money over in England, and the child of the unfortunate  
 “ tenant who is earning his living over in England, and the child had to get  
 “ ready her own dinner, and had nothing but potatoes. All the money that had  
 “ been earned in Ireland had been dragged by the land-robbers, and spent at the  
 “ gambling tables in London and Paris. They never, during the famine,  
 “ subscribed a shilling to the funds. Then we are told that the land of Ireland is  
 “ let so cheap that you can live on it very comfortably. You remember the property  
 “ in Tuam that had been held not long since by Thomas Tighe of Mayo. (Cheers  
 “ for him.) In Ireland to-day there is not a better landlord. Well, ye have got,  
 “ and I sure there is many from Tuam at this meeting, and you have got the devil's  
 “ brughal in D. B. Leonard. (Groans.) You know how he has prosecuted the  
 “ people of Galway road. They say when rogues fall out, honest people get their  
 “ own. I had the pleasure of meeting him since last meeting of Tuam, and I  
 “ believe the attack I made on him has made him change his hat, for he had  
 “ a black hat yesterday. I remember when his father would not get a stone of  
 “ yellow meal on his word. There is not a class in Ireland to-day that has  
 “ plundered the people of Ireland more than the solicitors of Ireland. You go and  
 “ have a difficulty with your neighbour, and the solicitor will take up your case,  
 “ and whether you have a good case or not he will say he will make a good  
 “ job of it. Let ye keep a firm grip of the land; let no man go to law for the  
 “ future but the landlord; let ye take each other by the hand and swear that  
 “ for the future you will be no traitor to your country. I will go back to one  
 “ solicitor in Tuam, and he to-day represents the man who hanged his own son  
 “ in Galway. Warburton of Galway. Now there is one in Tuam, and that  
 “ fellow is named Mick Concannon; how could you expect that he could do  
 “ a decent job for anyone of ye when he prosecutes his own son. He has his  
 “ own son under eviction. Now, I show you by this parable that you never can  
 “ trust yourselves in the hands of these solicitors, let ye settle your differences at  
 “ home. The judges of Ireland are well paid because the more crime is committed  
 “ in Ireland the more pay he gets for it. But the priest will charge you nothing.  
 “ Now my friends there are some gentlemen to speak to here with regard to the  
 “ Land League, although I am here not as a representative of the League in person  
 “ I represent the League in form throughout the country. Let every man join  
 “ the Land League—let every woman join the Land League. You must remember  
 “ that the glory of France is due to the noble French women. It was a woman  
 “ that led on the honest sons of France to liberty, and I am proud to tell  
 “ you that amongst the honest people of Ireland are women. I must ask you to  
 “ join the League. In the past you had no friend. If you are now put under  
 “ eviction by a land-robber the Land League comes to your aid, and they  
 “ expose the robber. They support the tenant in the court, and if he is evicted  
 “ they support him on the roadside. I will ask you not to recognise these landlords  
 “ as lords, but I believe there is not a lord on earth, but the Lord of Creation.  
 “ Recognise no one on earth but he who represents him, and that is the priests



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[Continued.]

“ and the bishops of your church. And I tell you if there is a bad priest in  
 “ your parish treat him as a bad priest. I am proud to have to stand on the  
 “ platform to-day with your priest, and my townsman of former days. His name  
 “ has gone in the Press and sunk into the hearts of many Irishmen who speak  
 “ with pride and glory of the Rev. Father Cahill. If I thought the priest was  
 “ not faithful to the interests of the people there is no man would denounce  
 “ him sooner than I would. Now I will ask you, my friends, to surround your  
 “ worthy parish priest, enrol yourselves as members of the Land League, and  
 “ I hope to see before long in the Press that Abbeyknockmoy has one of the  
 “ strongest branches of the Land League in Ireland.

“ I have travelled three counties, Mayo, Roscommon, and Galway, and have  
 “ travelled it at my own expense, and until Ireland is proclaimed a nation I shall  
 “ work by day and I shall write by night. Aye and I shall plot by night until  
 “ Ireland is a nation. Don't rest contented slaves by the fireside wherever you know  
 “ there is a newspaper to be read. Wherever you see that Pandeen O'Rafforty's  
 “ commandments are read, let ye go there and listen to every word and come  
 “ home and know that England is here only as a robber. In the days of  
 “ persecution the English nation drove your priests from the people and the  
 “ people from the cabin, they have persecuted religion, they have got up a system  
 “ of class against class. They kept each other cutting one another's throats, but  
 “ to-day, thank God, this is no question of religion. You can take the Orangeman  
 “ by the hand: God created him, and that lies in his bosom and there is a guide in  
 “ the church to guide him.

“ You shall see that this is not a question of religion. I will ask you to  
 “ repeat a solemn pledge; I will ask every man and every lady to put up their  
 “ right hand before the God of Creation. I am proud that the first hand I saw  
 “ was the hand of an Irish lady, that no one will take a cabin or a farm from  
 “ where a tenant has been evicted, or allow the land to remain in the hands  
 “ of the land-robbers. There is now what they call the National Land  
 “ League; well there is in Ireland a few thousand land-robbers and there  
 “ are in Ireland millions of people. What then would the Government do  
 “ if the Irish nation proclaimed that this land is ours, and we are bound to  
 “ maintain it. Ireland at one time numbered 12 millions, and you have only  
 “ five millions. Every hour you work on the land the landlord makes you pay  
 “ for it. If you reclaim some of it next year, you have to pay 3*l.* more. You  
 “ are working day and night in that land. It is like an old house that you are  
 “ propping up, until at last it comes down. I will ask you that for the future  
 “ you will pay no rackrent. I know there are land sharks in the village. I will  
 “ tell you what you will do to him: treat him in the form of a mad dog, and  
 “ that is, when he appears in the village, every man in the village halloes him  
 “ until he goes and drowns himself. Don't have any intercourse with him;  
 “ don't speak to him; don't speak to his wife and children; and if he go in the  
 “ chapel, let him go in a corner for himself. Let the people of this parish  
 “ respect their priest, and let them mark out that land shark, point him out to  
 “ the priest; let him die, as I said about Castlereagh. He first betrayed his  
 “ country, and when England had no job for him—for him to do—he went and  
 “ cut his throat.

“ Murty Hynes took a farm, and when he found that the people were halloing  
 “ him, he gave up the farm, and to-day I had the pleasure of distributing about  
 “ a hundred of the song composed for Murty Hynes. I tell you, Murty Hynes  
 “ is an honest man, because the Scripture says there is more joy in Heaven over  
 “ one repentant than over 99 just. I want you to watch if there is a Murty  
 “ Hynes here, and you will find that he will run to Father Cahill and say ‘I  
 “ make an open confession and here is the land for you’; I tell you that the  
 “ land-shark or the land-grabber is ten thousand times worse. I take great  
 “ pleasure in speaking of land-grabbers, but I tell you the land-grabber is the  
 “ worst we have to deal with; if the land were left to the landlord he would  
 “ say it is better for me to settle with the tenant in time.

“ I will ask you to pay no rent to the landlord unless he gives it to you at  
 “ a fair valuation. The time is approaching fast when all Ireland will be



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“ established, as being members of the Land League, to give one solid strike  
 “ against paying rent at all until the land question is settled.

“ I ask you to go home from this meeting peaceably and respectably; if  
 “ you respect yourselves you will respect others too. Do not be bowing, walk  
 “ up independently and say I am under no obligation. You only occupy the  
 “ land like me, I will pay you what is fair, and I swear before Heaven I will pay  
 “ you nothing else. I will ask you to keep every word you have heard here  
 “ to-day in your memory. I don't go to meetings for the purpose of being on  
 “ the platform, but I came here to give a helping hand to proclaim before God  
 “ on high that this land is ours, and if we cannot get it peaceably, to fight at  
 “ our own doors for it. (Cheers for Gordon.)

(The court adjourned for a short time.)

(Sir H. James.) This is the speech I mentioned of John Hanly, 3rd of October 1880,  
 at Abbeyknockmoy.

[The document was put in and read, and was as follows—]

“ Abbey Knockmoy,  
 “ 3rd October 1880.

“ Mr. John Hanly. Resolution—

“ “ Resolved we hereby thoroughly approve of the agitation now carried on by  
 “ the National Land League, and we will cordially give it our support until the  
 “ present land system is uprooted, and, in its stead, a peasant proprietary is  
 “ established, which alone will confer lasting prosperity on Ireland.”

“ Rev. chairman and fellow countrymen, I feel happy here to-day at the  
 “ people of my neighbouring parish of Abbeyknockmoy, even at the eleventh  
 “ hour, falling into the ranks of the Irish National Land League. (Cheers for  
 “ Mr. Hanly.) Fellow-countrymen, if the people in the parish of Monaveigh and  
 “ Abbey could stand up and say that within their memory there was never a bad  
 “ landlord, or at present there is not a bad landlord existing in their parishes,  
 “ I would be inclined to forgive them for their lethargy; I admit there are a few  
 “ good landlords in the parish of Abbey, and, strange as you may think it, the  
 “ best are people who acquired their property very lately, and when the Land  
 “ League was not established at all. The man who bought the property  
 “ you are now standing on was a good man, that is Mr. Thorngate,  
 “ and his agent, Mr. Churchill. When the urgency came on last  
 “ year he gave an abatement of 20 per cent. Not alone did he give them an  
 “ abatement on the rent that was accruing—November 1879—but if a man owed  
 “ him rent three years previous he was as cheerful in giving the abatement to  
 “ the man that was paying for '77 as well as the rent that was paying for '79.  
 “ Not alone did he do that, but when he found that the potatoes were failing he  
 “ opened his purse strings and gave a very liberal donation to the committee of  
 “ this parish and what fed other landlords' people as well as his own. That is so  
 “ much for one man. We have another good man in the parish, at all events,  
 “ and that is Mr. Waitman of Moyne. Mr. Waitman had, last week, announced  
 “ to his people, I know, he says, that the potatoes are bad. I gave you 25 per  
 “ cent. last year, and it is not 25 I will give you next year, but 30 per cent.  
 “ (Cheers.) Well, not alone that, he has given liberal wages and employment,  
 “ but I think he will be a good man in the country. Well, he was spoiled by one  
 “ of ourselves. He was spoiled by an Irishman when he came into the country.  
 “ I say he bids fair to be a good man now. He has announced 30 per cent. to  
 “ his tenants, and not alone that, but he says, any oats you have, prepare  
 “ it and make meal of it—(cheers)—and use yourself and your family  
 “ wholesome food instead of being eating rotten Indian meal. Now I say  
 “ this much. No matter what the man. No matter what you want, I say that  
 “ is an instalment of goodness and kindness from a man who bought his property  
 “ lately. I am sorry that I cannot say so much for other landlords in this parish.  
 “ (No, no.) Now the one side of the tale is told, but I will ask you now, men of  
 “ Abbeyknockmoy, what has become of the once happy homesteads that adorned,  
 “ with their smiling inhabitants, from the bridge of Newton to the town of  
 “ Monyveigh. I will tell you. Some of them have been turned adrift, homeless



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“ and penniless, on the wilds of this bleak world. Others have been sent up the sides of Knockroad to cultivate the land that is not fit to give subsistence to a human being. Others of them have been sent in to eke an existence in the bogs and morasses of blonkeen. (Groans.) What is left to-day in their stead? Nothing but what would remind you in travelling by that road of the dead walls of a convict prison. So far for that side of the parish. Well, now turn to the next side at your back. You have another man at the back of the parish who owns a property worth from seven to eight thousand a year, and who admits that he has a couple of thousand pounds saved since he got the property. (Voice, ‘He wants to steal.’) How is he acting with the property? (Bad.) Even up to his hall-door he is aware that the people of his property and tenants who are fed by the charity of the people of America and Australia, although he is worth 8,000*l.* a year and 200,000*l.* behind his back, and his bullocks at his elbow. (Groans continued.) He does not, he would not even give a farthing abatement to his tenantry. (Why do’nt they shoot him.)”

This is somebody in the crowd, not the speaker.

“ The man that I speak of he is the very man that opposed the walling in of that abbey before us, the ancient abbey of Knockmoy. (Groans.) He wishes to hold the walls of the ancient monastery there for a summer shade for the cattle of whoever wants to graze that farm, and he wants to trample on the graves of your fathers. (Groans.) He is the man that buries his wool under gooseberry bushes to manure them, and that would not give half a pound of wool either to a widow or an orphan to either make a blanket or a pair of stockings for their family. (Groans.) He is the man that says he cannot afford to pay an agent with his 8,000*l.* a year and 200,000*l.* in the bank, but he tells his tenantry to go ten miles to Mountbellew one way, and six miles the other way, and lodge your rent in the bank. (Groans, and cries of ‘Walter Blake.’) He says to his tenants go to the Bank of Ireland in one place at Mountbellew, go to the Bank of Ireland, to Galway, and lodge your rent. If you do not do that your house and your land is mine. And they have to go to Mountbellew, ten miles, and Galway, sixteen miles in the other direction, and he does not give the men who travel that journey, or allow them the price of their dinner when they go there. But I tell you this much, he says he cannot afford to pay an agent to receive your money at home, but I say this much here to-day, that the man that will go either to Galway or Mountbellew to pay in his rent for Walter Blake, I say on his way home that he may get what they call the Irish *Feiragurtha*. (Great cheering.)”

1597. I do not know what that means, “what they call the Irish feiragurtha.” Do you know what that is?—It is the weakness persons get through hunger.

(*Sir H. James, continuing to read.*) “ The man that says that with that large property he cannot afford to keep a wife, sure his own mother told him that he was a born bastard, and why would not he be a born bastard on earth as well as in his mother’s womb. (Cheers.) We have had from the highest authority of the land in the Roman history that a man lived of the name of Croesus, and he was the richest man that ever was born on earth, and what did he say at the finish; he only asked when dying: Give me, he says, one bit of gold to put into my mouth before I die, that I will carry it into the earth. It is the same way with Mr. Walter Blake. He does not know who he is making the money for—(for the devil). He does not speak to his sisters, nor to any of his brothers, and he will die like Croesus. He does not know who he is making the money for. He will ask at the 11th hour, give me a bit of gold to put into my mouth, in order to put into the coffin. (A voice, ‘He won’t get time.’ Another voice, ‘May be it is a bit of steel he will ask.’) In the face of such iniquity as is carried on by Irish landlords—by the majority of Irish landlords—it is no wonder that the earth refuses to give its crop. It is no wonder that the earth refuses to give its produce, and, instead of good potatoes, that we have rotten potatoes. The system is so rotten, is so bad, that I tell you this much: If you are united—and you may think that this is nothing at all, but I tell you this much—if you are united—that a rope of rotten sand will pull down the rotten system. That it will leave you your homes and your lands free and



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“ for ever in a certain time. That a man cannot come into you, and say, if you  
 “ owe him a year's rent after paying him 2,000*l.*, break up your homes, and  
 “ leave this. There is no man allowing three years now, except a good man.  
 “ They are calling upon you to give up your houses and homes for ever, and go  
 “ where you like along the world.

“ There was a man who is secretary to the Landlord League, and that is a man  
 “ named Lord Cloncurry. He wrote to the English ‘Times,’ and says that  
 “ Ireland is no use for anything, only for large farms. (Groans.) He then  
 “ commenced writing in that way. He wants to make out that Ireland is not the  
 “ nation at all that it ought to be, being but a feeder for the coal porters of  
 “ England. He wants every man in Ireland to clear out, and feed bullocks and  
 “ sheep for England.

“ Now, I will ask you, if France were ordered to clear out and support  
 “ another nation near her, they would say they would never clear out until they  
 “ would go at the point of the bayonet. I tell Irishmen not to go except at the  
 “ point of the bayonet, and don't go at all, if you die at the point of the bayonet  
 “ and remain there. They give another thing: emigrate. Emigration is a good  
 “ thing when there is a surplus population, but emigration is nowhere when  
 “ we have land to support the people. We are shut up in the morasses,  
 “ when we have good land to support the people. But they tell us it  
 “ would be good for them to emigrate, in order that there would be a  
 “ small population in Ireland. A small population, of course, would serve  
 “ the English. I read a speech in London this time two years made by the  
 “ Prime Minister, and what did he tell his London audience: among many things  
 “ he told them this, that England grew great in her population this last 20 years.  
 “ There was nothing he told them drew such cheers, and then if he comes round  
 “ to Ireland, and says the population of Ireland grew small. I will tell you this  
 “ much, that the Land system of Ireland is rotten. I say the system can be  
 “ thrown down with only a rope of sand if you only be united; if you only keep  
 “ the rules of the League. If you stick to them I say the rotten system of land-  
 “ lordism will be pulled down not with a rope of straw, but, I say, with a rope  
 “ of sand. I say, in the face of such iniquity, that it is no wonder that the earth  
 “ should refuse to produce its fruits, as it has done, and if these tyrants think of  
 “ the golden words of Thomas Moore—

“ ‘Midst pleasure and palaces,  
 “ Wherever we roam,  
 “ Be it ever so humble,  
 “ There is no place like home.”

My Lord, that is all that I propose to prove by the witness. It is *in extenso*. There are speeches which I think my friend will agree with me come under the arrangements we have made referring to other counties.

Cross-examined by Sir C. Russell.

1598. What part of the country do you come from?—From Bruff, in the county Limerick.

1599. And your grade now is head constable?—Yes.

1600. How long have you been head constable?—Six months.

1601. Then you got your promotion recently?—Recently. yes.

1602. How long have you been in the force altogether?—Twenty-two years exactly.

1603. In what parts of the country principally?—The last seven years I have been mostly in Dublin and Maryborough. In the Queen's county, but previous to that I was in the county of Galway—the last nine years.

1604. You were nine years in Galway!—No, I am nine years out of it.

1605. How long were you in Galway?—Thirteen years. I was 13 years in the county of Galway, and I am nine years out of it.

1606. You were 13 years in the county of Galway discharging your duties?—I was 13 years in the county of Galway discharging my duties.

1607. So that you would have been there somewhere from about 1876 to——?—From 1867.

1608. From 1866, I meant to say, or 1867 to 1877 or 1878?—Yes, 1879.



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1609. Where were you stationed in Galway?—Several parts. I was stationed in the town of Galway and Clifton, and several parts through the county of Galway.

1610. The town of Galway—we have had no suggestion of any agrarian trouble there, so far. Clifton is in Connamara?—It is.

1611. The able-bodied men at the time you knew it used to go out to work in Scotland and the north of England?—Yes, and yet I think they do.

1612. In the harvest time?—Yes, I think so.

1613. You know the condition of the great mass of the people in Connemara?—I have a good idea of it.

1614. Have you ever seen an able-bodied man breakfasting on turnips sprinkled with Indian meal?—Never.

1615. Have you visited them at breakfast time?—Often and often.

1616. You have never seen that?—Never.

1617. Is there much distress there?—There is a good deal of distress in it from time to time. It is periodical distress.

1618. In 1878 and 1879 there was a large fund for relief of the distress?—There was. I was there at the time.

1619. And there was the Duchess of Marlborough's fund?—Yes.

1620. And the Mansion House fund?—Yes.

1621. Got up by the late Mr. Dwyer Gray, who was Lord Mayor of Dublin?—Yes.

1622. And there was the collection which Mr. Parnell made in America?—Yes.

1623. A large sum I believe, 60,000*l.* was not it?—I do not know anything about it except what the papers said.

1624. That was for the relief of distress?—That was for the relief of distress.

1625. Now, in reference to these meetings, I do not want to go over with you what I have gone over before with other persons, but I want to draw attention to one or two points. P. J. Gordon, several of whose speeches we have had read, is he a shoemaker by trade?—I understand he is. I do not know him except to meet him at meetings, but I understand he is.

1626. And he is a native of the place in which you heard him speak?—He is living in Claremorris, in the county of Mayo. I never heard him there.

1627. I do not speak of meeting him at Claremorris, but the meetings you have heard him speak at were meetings in the neighbourhood in which he lived or in the adjoining county?—In the adjoining county.

1628. I think you told me he was a shoemaker?—I said that I heard that.

1629. Now, I notice the first of the speeches which has been read this morning by my learned friend, Sir Henry James, is the one of 19th September 1880 at Kilconley. I just want to draw your attention to that. There was an attempt at that meeting by the Fenian party to disturb him?—Well, no, except by reading the speech, I never had the smallest recollection of it.

1630. But now that brings it to your recollection?—I do not remember now what disturbance there was. Except the mention of it in this speech, I do not know anything about it. I do not remember it. And I am quite satisfied there was no attempt made to break down the platform, or anything of that kind, or I should say something about it.

1631. That is not asked you about breaking down the platform?—I understood the attempt by the Fenians to disturb that meeting—

1632. Who said anything about breaking down a platform. Has anybody said anything about breaking down a platform?—No, not one.

1633. Why did you mention it?—There was no attempt made to break up the meeting.

1634. Is that the only way of breaking up a meeting?—That is all I know about it. I misunderstood you. I beg your pardon for saying it.

1635. But did you gather from the speeches that the speakers were apprehending difficulty in opposition to them from the Fenians?—Yes, from the speeches I did.

1636. Very well, that is all I want to get. Now, on the 3rd of October 1880 meeting at Abbeyknockmoy, you have read—at least my learned friend Sir Henry James has read, following your transcript—another speech of the same Gordon?—Yes.

1637. Was there a Father Eglington who spoke at that meeting?—There was.



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1638. Have you a transcript of his speech?—I have not the transcript.

1639. Why not?—Because I was not told to transcribe only Gordon's and Hanby's speech.

1640. Who told you what you were to transcribe?—I understood the Judge to say the other night that these were the speeches the Attorney-General was going to read or Sir Henry James, and these are all I could do, in any case.

1641. Why?—Because I had not time to do them, for I did not understand that the whole meeting was to be transcribed.

1642. Very well?—If you will allow me to say, I think I saw him looking for the transcript this morning—I think I saw a printed transcript of this.

1643. Of Father Eglington's speech?—Of the whole meeting. It was sent out to room No. 4.

1644. If you have got it I want it for a particular reason, which my Lords will see. It is the 3rd of October 1880. My Lords will see the relevance of this. A short time before Lord Mountmorres had been murdered?—He was.

1645. A few days before?—I do not know about that. I know it was a short time before that, perhaps about a week—about a week, perhaps, before that.

1646. Do you know or not, was the opinion held by the people of the country that there were other causes than agrarian for Lord Mountmorres's death. I do not want to allude to them more pointedly. Have you heard it suggested that there were other than agrarian reasons for it?—No, I do not remember. I knew Lord Mountmorres myself, for I was stationed in his neighbourhood some years before that, and I was at a meeting the day after he was murdered, and I do not remember their saying a word about particular reasons.

1647. I am asking whether you had heard of other reasons but agrarian reasons. Take Lord Leitrim's case?—I do not know; I did not hear them. If I did I have no recollection.

1648. Now I must ask you, as this speech is coming, did not Father Eglington at that meeting held on the 3rd of October 1880 denounce the murder of Lord Mountmorres?—He did. I have a distinct recollection of that. He did, and by name too.

1649. You were not asked to transcribe that?—No person told me what to transcribe, but I understood these two speeches were all that were wanted for that meeting.

1650. Now, another point. Did you notice that in speaking Mr. P. J. Gordon the shoemaker refers, and refers in more or less strong language—strong language I should call it—to Mr. Blake?—I think it is Hanly.

1651. Hanly principally, I agree, but I think there is a reference by Gordon also. However, that is not material?—I do not remember that.

1652. You were not here, I suppose, when the Attorney-General made his speech?—I was not.

(Sir C. Russell.) Will your Lordship turn to page 40 of the first day? My friend reads John Hanly's speech, which your Lordship will find at the bottom of page 39, referring, your Lordship sees, to "groans," "Walter Blake," and so on,—what my learned friend has now read. Your Lordship will see my friend, the Attorney-General, said "At the same meeting, my Lord, John Hanly spoke." Then a little lower down your Lordship will see "Groans, and cries of Walter Blake." Then, if your Lordship will turn over the leaf, my friend goes on: "Your Lordship will observe there a reference to Mr. Walter Blake as the agent. I shall have to describe to your Lordship presently, in connexion with these particular speeches, the circumstances under which Mr. Blake was shot and murdered on the 11th of December of the same year."

1653. Is not Mr. Walter Blake alive and well?—I do not know anything at all about him. I never met the man.

1654. Is there the least ground for saying that Mr. Walter Blake, denounced, to adopt the Attorney-General's expression, by Gordon, the shoemaker, and by Mr. John Hanly; is there any reason to doubt that he is alive and well and kicking at the present moment?—For anything I know, he is.

(Sir C. Russell.) Then, if your Lordship will kindly turn to page 50 of the same day's proceedings, your Lordship will find, about two-thirds of the way down, "Now, on the 29th of June, my Lords, is the murder of Mr. Blake." Your Lordship sees he alters the date there. It is stated, at page 40, that it was the 11th of December, then he corrects it.



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1655. Was there anybody you were aware of at all murdered on the 11th of December of the same year we are upon—the same year, 1880?—I do not know anything about it.

(*The President.*) But he goes on to give another incident, the wounding of Mrs. Blake and the servant.

1656. (*Sir C. Russell.*) Yes, it is an entirely different person altogether. Just to clear this up, do you know whether the Mr. Walter Blake there referred to is Mr. Walter Blake of Ballgloonin?—I do not know the place at all nor the man. I do not know anything about him or the neighbourhood in the least.

1657. Now on this same occasion when Gordon was speaking (I think it was when Gordon was speaking), and when Blake's name was mentioned, some one in the crowd shouted out "He wants steel."?—Yes.

1658. Did you hear John Nolan upon that—a man who was taking a prominent part at the meeting, I do not know whether he spoke—say, "Shut up." Do you recollect it?—I do not recollect it, and I have not it on my notes, and I do not recollect it.

1659. You cannot say whether that occurred or not?—I cannot.

1660. At all events it may have been——?—It might have occurred.

1661. Could you give us any idea how many speeches you altogether reported?—I suppose about a couple of hundred.

1662. Could you mark the point where "let him have steel" occurs in your shorthand note?—Yes. That is in Hanly's speech.

1663. I thought it was Gordon's. It is where he speaks about a piece of gold between his lips and somebody says he wants a piece of steel?—Yes, I will come at it in a minute.

1664. Just mark the point where it says "he wants steel." [*The witness marked the book.*] Thank you. Where have you marked it?—I have marked it with a star.

1665. There are two stars here?—~~That one.~~

1666. I cannot tell which you did first. ~~Now I was asking you this.~~ You said you had reported altogether how many speeches—two or three hundred I think you said?—I suppose I did that. I think I reported about that many meetings.

1667. I beg your pardon—two or three hundred meetings?—About 200. I could not say more or less.

1668. I suppose there would be an average of five or six speakers?—Yes, nearly at every meeting four or five speakers.

1669. So that you have reported altogether about a thousand speeches?—I should think so.

1670. Somewhere about that. Did you send a transcript of them?—Yes, I did. I always sent a transcript of them.

1671. And did you follow the same course that the other constable followed, namely, where you had a superior officer in the locality you handed them to him?—Yes, they went to the divisional magistrate. The transcripts were sent to him.

1672. To the divisional magistrate?—Yes. Before the establishment of the divisional magistrates they were always sent to the Castle, and when I was in the Castle or in Dublin I always handed them in at the Castle myself.

1673. Then these were submitted to the magistrates, were they?—Not at all. In the country now where there are divisional magistrates, they have the whole thing to do with reports submitted to the Government, and they go through them first.

1674. That is what I say. Then they are submitted to the magistrates?—They are submitted to the divisional magistrates, if you understand. It is not the local and ordinary magistrates at all, but the divisional magistrates.

1675. I quite understand, and then by them——?—By them they are forwarded.

1676. Forwarded to the Castle?—Forwarded to the Castle.

1677. You were a witness I think, were not you, it what was called the State trial in Dublin?—Yes.

1678. Were there any speeches which you have been asked to refer to delivered up to the time of that State trial that you have been asked to refer to here that were not referred to and read there?—I think there was. I do not know whether Headford was given in evidence here. I could not answer that off hand.

1679. But except Headford?—As far as I recollect most of them.



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1680. Except the report of some speeches at Headford, you think they were all read at that trial?—I think they were. I cannot say, but I think they were.

1681. As far as you can tell?—As far as I can remember.

1682. We can correct it hereafter if that is not correct.

1683. (*The President.*) The State trial of 1880?—Yes.

1684. (*Sir C. Russell.*) It began, my Lord, in December of 1880, and it extended into the month of January of 1881. Now only one other question as far as I am concerned, I think. Had you anything to do with the selection of extracts from these speeches?—Not a bit in the world. I did not even know until I came here what speeches were to be submitted.

1685-6. (*Sir C. Russell.*) I would just like to give an illustration of what I mean by these extracts. This is merely to explain the character of these extracts. You were asked to speak to the report of the meeting at Milltown on the 25th of the 7th month of 1880. That would be the 25th of June, would it not?—July.

I rather want to get that. Will you let me have, please, the transcript of that speech of Thomas Brennan of the 25th of July. Your Lordship will find the passage I am referring to set out in full at page 338. The passage, as read by the Attorney-General as his extract, is on the top of page 35 of the 22nd of October.

(*The President.*) Yes, "an onslaught."

1687. (*Sir C. Russell.*) Beginning "an onslaught." The concluding sentence, your Lordship will see, is this: "The highest form of government is a republic. You may establish an Irish republic on Irish soil." That is the sentence. Now, my Lord, this is the real speech. Your Lordship will turn to page 339. This is the sentence which is summarised in the extract which my learned friend has read thus: "You may establish an Irish republic on Irish soil. If we had a government in Ireland to-morrow that would protect the idler against the worker, I would be against them. All I see here, I think, will agree with me that the highest form of government is a republic. (Cheers for the republic.) Well, you may establish an Irish republic on the Irish soil, but as long as the tillers of the soil are forced to support an idle class, a republic would be only a mockery. These lands you have belongs to you." Take this in your hand. The extract at page 35, which I have given your Lordship, is not only inaccurate in the respect I have mentioned, but there is an omission. Will you turn to your notes, please, of this speech, beginning with "An onslaught." It is not very far down, it is very early in the speech, "Mr. Chairman, men of Galway and Mayo: It is just 12 months since"—Have you got that?—I have.

1688. It is farther on than that—"When we review the history of the past year, we may I think be satisfied." Do you see that?—No, not yet.

1689. Well, it is only a few lines down?—It is not here, it does not come in here as soon as you have it there.

1690. It does if you have the beginning of Mr. Brennan's speech. It is only a few lines down?—The way I have the beginning of the same speech is not the same—"Mr. Chairman, and men of Galway and Mayo. It is just 12 months ago since last I had the honour of addressing you from this place. The land agitation was then in its infancy —"

1691. Go on, you need not read all that?—I want to come at your point.

1692-3. It is very few lines below that?—I have it now.

Now read it—and might I ask your Lordship just to have before you the paragraph at page 35 of the Attorney-General's extract.

(*The President.*) Yes, I have them both.

1694. (*Sir C. Russell.*) Just read on from "An onslaught"?—"An onslaught has been made on the system which degrades labour in Ireland. (Great groans and down with them; to hell with them; card them.) A heavy blow has been struck at caste in Ireland, but that system is not dead, and we shall continue to strike until we bring about the state of affairs that man shall be judged not according to his birth but when labour not idleness shall be the recognised system." That is the end of the sentence. "When last I was in Milltown" —

1695. That is enough. Take this in your hand, which is a print of what the Attorney-General read—that part at the top. There are hyphens 1, 2, 3, 4 where there are omissions. Can you explain at all where that extract was made or who made it—the top one. Do you see the hyphens there?—I do.

1696. There are four of them?—Yes.



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1697. You see that is not a connected part of any of the speech?—It is not.

1698. Do you know who has made that extract?—I do not, not a bit in the world.

1699. (*The Attorney-General.*) Are the hyphens in the print?

(*Sir C. Russell.*) No.

(*The Attorney-General.*) Will you get the original print?

1700. (*Sir C. Russell.*) You did report, I am reminded, a meeting at Currans. Will you give me the date?—What is the name of the place?

1701. Currans, at which Father Murphy spoke?—Knocknabul and D — are the only ones I have.

1702. Is Knocknabul far from Currans?—I do not know at all where it is.

1703. Do you recollect, did Father Murphy speak at one of those meetings?—I will tell you in a minute.

1704-5. I am not quite sure that you have reported or said anything about this meeting. Did you report a meeting at Currans?—I do not remember. I have no notes of it here.

I think it was referred to by Sir Richard Webster as Curroon, or something of that kind.

(*The Attorney-General.*) I daresay I made some mistake.

1706. (*Sir C. Russell.*) Did you report a meeting at that place is what I want to know?—I did not.

Cross-examined by Mr. Reid.

1707. You say, I think, there were about 200 meetings you attended?—I should say so.

1708. About that?—I am not sure how many. I know that I have been engaged at them for the last nine years.

1709. Were they all Land League meetings?—Oh, not at all; they were not all Land League meetings.

1710. How do you distinguish between a Land League meeting and another meeting?—Since the National League was established there was no Land League meeting that I know of.

1711. Were they all either Land League or National League?—They were all public meetings of one kind or another.

1712. What I want to know is whether all of them were connected with one of the leagues?—As well as I remember they were. They were, some of them, connected with labour leagues down in Cork, or things of that kind, but they were all public meetings.

1713. On most of these occasions were there the parish priest or the clergy on the platform?—Oh, most of them, yes.

1714. A number of priests very often, is it not so?—Sometimes—very often; sometimes there used to be a good many, nine or ten of them often, according to the place.

1715. On the platform?—Yes.

1716. Is not it the case that at most of these meetings there were denunciations of crime and outrage?—It is as a rule. That is the rule.

1717. By the priests and other speakers?—By the priests and other speakers.

1718. Exhortations to the people to be patient and quiet and so forth?—Telling them to commit no crime; it would injure their cause to commit crime.

1719. To commit no crime, and they would injure their cause by doing so?—Yes.

1720. In regard to these meetings you attended—I do not expect you to be able to record in exact numbers—but a great many meetings I believe were held in 1882, 1883, 1884, were there not?—Yes.

1721. The number of public meetings in the country did not diminish, but rather continued to increase during those years; is not that so?—They increased in late years.

1722. Yes, between 1882 and 1885 we will say did not public meetings continue to increase in number?—I should think so; but I could not tell that of myself. All I know is I was out constantly.

1723. You have reported the speeches, and given to their Lordships some of the speeches of a man called J. W. Nally?—I think only one speech of his altogether, except interjections at meetings.

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1724. Perhaps you are right. At all events, interjections of his?—Yes.

1725. Did you often see him at meetings?—I did, often.

1726. Have you seen him turned off platforms, or prevented getting on platforms?

—Well, I do not remember that.

1727. Have you seen him prevented from speaking?—I saw him prevented from proposing a resolution that I saw myself before he went to read it, and he would not be allowed to read it. It was somewhere down in Galway. I do not remember the place now.

1728. Is it not the case that this gentlemen, this Mr. J. W. Nally, was a person of a very wild, almost irresponsible person?—It is the case. He was a reckless kind of a fellow.

1729. Looked upon as a sort of lunatic. Is not that the case, that he was looked upon as a sort of lunatic?—I never heard that: but I should say he was looked upon as a kind of a drunkard.

1730. Very well, I am sorry I ascribed to him lunacy. The speeches Mr. Nally made, were they not generally made after the meeting had broken up or before the meeting began?—Oh, no, not that I remember. I do not remember that.

1731. I may be mistaking you, Constable, for another constable, whose evidence I am thinking of. Perhaps I ought to have asked that question of another constable; but as regards Nally, at all events, was Nally at any meeting you saw allowed to take any prominent position at all by the organisers of the meeting?—He always had a place on the platform, and that is all I know about him; but I know that he was not mixed up with them. He used generally to be walking about the town himself, and sometimes with others, before the meeting would commence. He was just what I would call a free lance at a meeting.

1732. He used to get up on his own account?—He used to get up on his own account.

1733. And I suppose whenever he said violent things. I do not know whether you heard him say violent things more than once or twice yourself?—Oh, he always said something violent when he would say anything at all.

1734. And was he reprov'd—were those sentiments reprov'd by the speakers, by the priests, or whoever was there?—They never said a word, nothing was said about them one way or the other.

1735. Treated them as meaning very little?—The people might cheer him. I do not say but the people would cheer him, but the gentlemen on the platform never said a word before or after his expressions approving or disapproving of them that I remember.

1736. I wish to get Mr. Nally's position. Were they treated as a wildness of his own which would be thoroughly understood by the meeting?—I could not say anything about them at all in that way because all I can do is to state what I saw myself.

#### Cross-examined by Mr. Healy.

1737. Did you ever drink with Nally yourself?—I did.

1738. Did you ever stand him liquor?—I did on two or three occasions, that is all.

1739. Only on two or three occasions?—Only on two or three occasions.

1740. Were these on the occasions of meetings?—I might meet him before the meeting or afterwards. I might meet him at a public-house or hotel, or some place.

1741. And you would give him a little liquor before he started?—No, I never gave him a drop on the day of a meeting.

1742. You never gave him a drop on the day of a meeting?—Never, except I might meet him at night. It was only two or three occasions altogether. He happened to come into the hotel I was stopping at.

1743. He and you stopped at the same hotel?—He sometimes came into the hotel at night, and others; there were a lot of them coming round.

1744. Did he come to see you?—Not at all. He never came to see me.

1745. Did you pay for drink for him?—I did pay for drink for him. I paid for drink for the men round. He happened to come in, that was all.

1746. Did he often sit and drink with you?—On three occasions altogether was all the times I ever met him. I met him 20 times at 20 meetings, and three times were the only times I ever drank in his company.



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1747. You only drank with him three times?—Only three times.

1748. What o'clock at night was this?—I could not tell you what time it was. It might be 9 or 10 o'clock at night, or it might be any time at all.

1749. What towns were you drinking in with him?—I cannot say. I drank with him in Castlerea on one or two occasions, and I drank with him at Barrintubber or some place on another occasion.

1750. I suppose at this distance you could not remember how much you consumed?—No, I know I cannot remember. I know I was a teetotaller myself. I drank nothing at all in the shape of drink except lemonade and the like of that.

1751. But you paid for his drink?—But I paid for his drink. Why not?

1752. Who were the other persons who were with him? Were they also the organisers of these meetings—the violent speakers?—Which other persons?

1753. You said there were several persons there with him?—There were several persons stopping at the hotel, and if there was a drink going on, he would be just on it like any other body.

1754. You were admitted on intimate terms in these hotels; you were the police reporter?—I was admitted. I paid my way in the hotels.

1755. You were in the select circle where Mr. Nally was?—Oh, I would not call it a select circle. Mr. Nally was not stopping with me.

1756. At any rate you were not excluded in any way during these exciting times?—No, I was not.

1757. Everyone knew you were the police reporter?—Certainly, and if they did not know it, I would take very good care to tell them.

1758. And notwithstanding that, there was no attempt to boycott or exclude or ostracise you in any way?—Not a bit in the world.

1759. Did that occur often?—Which occur often?

1760. Your going into these hotels and meeting these people and drinking with them?—It is nearly an everyday occurrence when you go to an hotel to meet somebody drinking.

1761. I am only referring to the persons who were organising the meetings?—I do not remember. I often did drink with persons who were organising meetings.

1762. How many of these agitators have you met in hotels in this friendly spirit?—I cannot remember.

1763. Just give us their names, if you please?—I do not remember them. I met Mr. Welch.

1764. Mr. who?—Mr. J. W. Welch and Mr. Harris, and I met nearly all the beginners of the land agitation from time to time, but I do not mean to say that I drank with them. I met nearly all those who were commencing—who were at the commencement of the Land League or National League.

1765. In their hotels after the meetings were over?—Sometimes I would. Sometimes I might happen to stop at the same hotel they were stopping at.

1766. You have heard that as the result of these meetings outrages sprang up. That has been the charge. You heard that charge made?—I did not hear it.

1767. Were these men concocting outrages after these meetings?—I do not think they were, but if they were they were very sure not to let me know anything about it.

1768. You are now a head constable?—I am.

1769. Would you mind giving us the pay of the force. We have heard there are 62 men in a little village of 1,200 people. Would you mind giving us the average pay of a constable in Ireland?—The average pay of a constable is about 60*l.* a year; that is taking one man with another.

1770. That is the privates?—That is the privates. I would say about 60*l.*, taking one with another. I was not prepared for that. No, it is not 60*l.*; I would say between 50*l.* and 53*l.*, or so. 60*l.* is nearly the highest.

1771. Over a pound a week, is not it?—Yes, it is.

1772. And has not the grand jury the power to put these constables on any area where there are outrages—an increased police force?—I am not aware of that.

1773. Was not it constantly done?—It was constantly done. So it was; but I do not think they do it presently.

1774. During that time it was constantly done?—Oh, it was done.

1775. And the people had to pay for it?—They had to pay for it. They had to pay half; that is all I know of, half the amount.



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1776. I believe the education system in Ireland is also maintained by the Government, as well as the constabulary? It is entirely in the hands of the Government, is it not?—They give grants to the schools. I do not know that they have anything more to do with it excepting sending inspectors to inspect them.

1777. What is the average pay of a schoolmaster?—I do not know.

1778. In the neighbourhood of Clifton, where you lived so long?—It was not long.

1779. What was the average size of farms?—I should think—I was not long in Clifton. I was about 12 months in it altogether. I was in Galway; but I should say the average size was about eight or nine acres.

1780. Who was the landlord?—The most of it I knew belonged to the Law Life Office.

1781. Is not it Berridge?—Yes, it is Berridge now.

1782. For miles and miles and miles and miles?—Yes. It is Berridge now, but part of my time it belonged to what was called the Law Life Company.

1783. Then Berridge bought it of them?—Then Berridge bought it of them.

1784. I suppose it is 40 miles of territory nearly?—Indeed, I believe it is.

1785. And more. What is the condition? You were there in 1880, I think, you said?—I was not. I was there in 1879. I was in it about 1876 or 1877, or something of that.

1786. In that 40 miles or 50 miles of territory owned by Mr. Berridge, did you ever know him to come over and see the people in distress?—He had not it long at the time I left it.

1787. Did you ever know him to come there?—No, not to my knowledge; but he had it only a very short time at the time I left that part of the Galway county.

1788. Before you left had the distress begun?—The distress was in full swing part of the time that I was there.

1789. Were there soup kitchens or relief committees established in the village?—No, not to my knowledge.

1790. How did the people get relief?—They got it from a committee formed in every village. The names of the destitute persons were taken, and every week they held a meeting, and gave out so much to each family; gave a ticket. They got meal and gave it out, and weighed it out, and when they did not do that, they gave tickets to dealers in the village to serve them out with so much.

1791. Who were the persons who got these tickets? Were they Mr. Berridge's tenants?—I suppose they were. They were the general run of the people. They were tenants anywhere.

1792. The farmers at that time were kept alive by public subscription?—I have no doubt they were, the most of them.

1793. Did you ever hear of Mr. Berridge giving a shilling?—No, I did not.

1794. During this time of distress in Clifton was the population calm; were there any outrages?—Not that I am aware of. I do not remember any. There were several disputes in connexion with religion a short time before that; that is all I remember.

1795. That is because the soup kitchens were established there?—No; there were many long established there, but some attacks were made upon them.

1796. I was speaking of political disturbances?—No, there was not.

1797. Do you know of any eviction at this time on this property?—No, I do not remember any particular one; there might have been an isolated one or other; perhaps one a year or so.

1798. Were the people's rents forgiven them that year?—Not that I am aware of; that I know nothing about.

1799. Were you the head constable in the district?—I was not head constable then at all.

1800. Would it not be your duty to inquire and report to the Government whether the people's rents were forgiven. Would not that be an element of your duty?—We never had anything of that kind to do. It might be the duty of the inspector of the district or superintendent sergeant, but not my duty.

1801. You have now become a sergeant; have you ever done that?—I never did.

1802. When you went to these meetings, in every case was there a report made?—In almost every case, except in an instance when I would not be able to get the report.



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1803. Used you to make a report of these meetings?—I have to give the transcript.

1804. I mean to say did you give a description to the Government in addition to the longhand transcript of the speeches and observations used. Did you also make a report on the general report of affairs?—Just a short report, yes.

1805. In every instance?—In every instance.

1806. Have you seen these reports lately?—No, I have not.

1807. Any of them?—Not any of them. If I did not meet them in the transcript I did not meet them. I might have met them in some of the printed transcripts.

1808. Who did the reports go to?—With the file along with the transcript of notes.

1809. So whoever got the transcript would get the report?—Yes, so he would.

1810. Then I presume in all these cases where the file of the reports exist which has been handed over to "The Times," they have got a report as well of the meeting?—I cannot say anything at all about that.

(*Sir Charles Russell.*) There were several produced yesterday.

1811. (*Mr. Healy.*) How many reports have you made in your time?—I was saying a while ago that I estimate that I made about 200, but I am not sure, of course.

1812. Did you in these reports refer to crime?—Oh no, sir; not a word.

1813. Do you mean to say that in all the meetings that you attended you were wholly unable to come at any meetings with crime in your report?—It was none of my business to deal with anything except the meeting itself. What occurred at the meeting, that is all.

1814. Would not what occurred at the meeting be seen from the transcript of your shorthand notes?—It is usual to say it in this form: you attended the meeting; so many people were present; so many bands and things of that kind; and that is generally the whole substance of it. I have nothing to say about crime or anything else.

1815. It is stated in the allegations that these farmers were driven by intimidation into those meetings. Is that your experience?—I do not think it is. I could not say correctly whether it is true or not, but I know that meetings were generally held on Sunday, and that persons who were in the town attended the meetings. I do not know whether they went there of their own accord, or whether they went there wilfully.

1816. Did the meetings which you attended seem to be the spontaneous uprising of the district, or did they seem to be the meetings of a coerced people,—coerced to attend?—Most of those meetings that I attended were announced to be held by placard, and the people came of themselves, marching in a body sometimes, and sometimes they came by themselves and with others.

1817. You knew the condition of the people very well, I presume, before this agitation?—I did.

1818. How old are you?—A little over 40.

1819. In these Connemara farms and about Clifton, what would be the average amount that a farmer would make out of his land in these small farms; about how much in the year would he have for himself and his family?—As far as I know about Connemara most of them live along the sea shore, and every man who has a house and a bit of land has a boat, and they make kelp and get seaweed and fish. I know nothing about the land myself; but no man can live on the land without the house and the boat for the accommodation of the men in the fishing trade.

1820. In addition to that, I ask you what rent used they annually to pay to Mr. Berridge?—I am not aware of that.

1821. Can you give any idea of the average sum?—Myself, I have no idea of that, because I never minded it.

1822. Would they be 10*l.* men or 15*l.* men?—Oh no, not at all, none paid 10*l.*; 4*l.* or 5*l.* would be the average, except a man who has a large strip of country, and then he would pay 100*l.* for it. I should say 4*l.* or 5*l.* on the average.

1823. 4*l.* or 5*l.* a year rent?—Yes.

1824. Would the man be able to make 4*l.* or 5*l.* out of land?—I am not aware of that.

1825. These are the people who go over to England?—Most of them go to England. Those who do not go to England have boats. They get into a company, and they make kelp during the summer and get fish and things of that kind, and that is the principal way of living.



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1826. Did the landlords of co. Galway, when the distress began (and I suppose it was worse in that district) meet together in any way?—I do not know that myself, and I have no recollection of it.

1827. Did you at all hear at any time of any effort on their parts to save the people?—I do not distinctly know. I do not remember.

1828. At any time during the distress did you ever know of any landlord doing anything to mitigate it?—I did not. I do not remember any instance of it myself; of course it might have occurred unknown to me, but I do not know anything about it. Policemen do not mix themselves up with the circumstances of every person.

1829. You, I presume, understand the grand jury system pretty well?—Well, I do not. I have an idea of it, and that is all. I was never before a grand jury in my life, or only once.

1830. Would you give us your idea of it?—I have an idea that they sit there to determine cases that go before the judges of assize, and inquire into and decide as to the fiscal business of the county.

1831. Were there many claims for outrages in your time in Galway?—Not that I had anything to do with. I never minded them. If I was at the court on duty, I was just the same as a policeman outside here. I would know nothing about what was going on.

1832. You were born in Mayo, I think?—Born in Mayo.

1833. Do you know anything about the outrages in the county of Mayo?—No, not at all.

1834. You were in Queens County?—I was in Queens County.

1835. Do you know anything about the outrages in that county?—There were no outrages there worth talking about. It is the quietest county in Ireland, or one of the quietest.

1836. Were meetings frequently held there?—Sometimes.

1837. Frequently?—About once a year; meetings of the local branch of the League about once a fortnight.

1838. You say meetings in Queen's County were held only once a year?—That is on the average. I suppose through the county there are many.

1839. But the League meets as usual?—The League meets about once a fortnight at their room.

1840. Is there any difference between the character of the League in Queen's County, this quiet county, and the character of the League in a disturbed county?—Not that I am aware of.

1841. Do you connect these outrages with distress or with speeches?—I could not say.

1842. Have you read *Parnellism and Crime*?—No.

1843. Were you in the Queen's County court-house during the last assizes?—I was not, I was not in the county at all at the time.

1844. Did you read what Mr. Justice Johnson said on the connexion between the grand jury system and the outrages?—I never read a word about it.

(*Sir Henry James.*) My Lord, I have nothing to ask this witness, and I must now express my regret that the course which was suggested by your Lordships this morning could not be carried out, but the course which we have taken, and I hope rightly taken, of not continuing any proof of these speeches, we believe, will save a great deal of labour and time; and we do not propose to proceed with them now. But in consequence of this course being taken, and of the Court having expressed the view it did last evening, we could not be, and are not, prepared at this moment to take the outrages consecutively as to time and place. If we take a portion of one outrage and then go to another it will entail, I am afraid, a great deal of labour and tax upon your Lordships' memory to bear in mind the connecting links between the different outrages. I think we can, and I will make great efforts that it shall be done with sequence, arrange to take the witnesses by Tuesday next in their order. I have mentioned this to Sir Charles Russell, and I am sure there will be time saved if you will let us proceed on Tuesday.

(*The President.*) You mean by that we are not to proceed with anything to-morrow.

(*Sir Henry James.*) If we do so it will be a very broken day. Our next stage in the case will be to prove the different outrages. We have not got the witnesses to prove



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the whole case of the different outrages, and their locality, or even in respect of the different occurrences. I am certain there will be a great deal of saving of time if your Lordships will give us an opportunity of collecting the witnesses so as to place their evidence before you in a consecutive way.

(*The President.*) What do you say, Sir Charles.

(*Sir Charles Russell.*) I say what my learned friend says is perfectly just. Unless we are able to proceed consecutively, I think there will be a great deal of waste of time.

(*The President.*) I regret it, but I know I can rely upon the judgment of you both, and I yield to your joint request, as I understand it.

(*Sir Charles Russell.*) I have again to reiterate my request, that in order to save time we ought to have notice of the order in which the evidence is to proceed.

(*The President.*) That information will be given.

(*Sir Henry James.*) The same information will be given as on the last occasion.

(*Sir C. Russell.*) And particularly the outrages.

(*Sir Henry James.*) And particularly the outrages. We will remark as well as we can the particular outrages.

(*Sir C. Russell.*) May I say, as there is this break, I and my learned friends are personally very anxious to have as early as possible from your Lordships a report as to the contents of this box.

(*The President.*) I am glad you reminded me of it. We devoted two days to it, and then we found that those documents which Mr. Lewis promised to bring in had not been brought in, and, I believe, they have not been brought in at this moment.

(*The Secretary.*) Not yet, as far as I know.

(*Sir Charles Russell.*) Unfortunately Mr. Lewis is ill and confined to his house to-day.

(*The President.*) Perhaps that may have accounted for it; will you communicate with him.

(*Sir C. Russell.*) I will communicate with him at once.

(*The President.*) When we have them we will deal with the whole matter, and that perhaps will be when we next meet.

(*Mr. Read.*) There is one matter I should like to refer to, and that is with regard to the accounts of private individuals at the bank. On behalf of my clients I repeat that I have not the smallest objection to any of their banking accounts being submitted to your Lordships or to Mr. Soames, the solicitor for the *Times*, or to such persons as he may desire necessary for the purpose of advising the paper, but we have the strongest objection to these accounts being made public on general grounds.

(*The President.*) Certainly. I hope I have carefully guarded against it. I have drawn up a direction this afternoon upon the subject. No inspection is to take place except by the persons interested, and someone representing the Court.

(*Mr. Reid.*) My Lord, as I said, it is not that we have the slightest suspicion of the gentlemen on the other side, but merely that we think it should be mentioned, and that there should be an honourable understanding that the inspection in this case should be of the most limited possible character.

(*Sir Henry James.*) Certainly, my Lord.

(*The President.*) Certainly. With a view to that objection, we have guarded against that. There will always be some responsible person present. I am informed that the inspection is taking place at this minute under proper supervision.

(*Mr. Reid.*) I was instructed to mention the matter to your Lordships.

(*The President.*) Quite right.

(*Mr. Healy.*) Might I say, with regard to this, I understand Sir Henry James is asking to put this off till Tuesday, and then to go into the connexion between the outrages and the individuals.

(*Sir Henry James.*) To prove the outrages.

(*Mr. Healy.*) Might I say upon that, for those who live at a distance, that some notice should be given to us, as the *Times* are in possession of any connexion between the outrages and individuals, that we should be told when the charges connected with that will be made; because how can we rebut matters which took place eight or ten years ago.

(*The President.*) I understand that such information as can be given of this kind will be given,—for instance, to Mr. Healy.



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(*Sir Henry James.*) All I can say is that, in the interest of everyone, I should suggest that if there is any substantial evidence going to be given against any particular gentleman, that we should take care he has notice, if it is a matter of substance, and we knew that Mr. Healy was not here, that we should endeavour to communicate with him. If we know that evidence is going to be given against him.

(*Sir Charles Russell.*) It is well that I should say at once that on the question of the outrages that, unless it is alleged that some foundation has been laid in the speech of the Attorney-General, good or bad, for the alleged connexion between the acts of particular people, and the speeches of particular people, we certainly shall object to a mere parade before your Lordships of outrages, as such.

(*The President.*) It is impossible for me to formulate what connexion is to be established. There may be a connexion of place or time, we must deal with the details when they arrive.

(*Sir Henry James.*) I do not reply to the word "parade," but we must go by steps. We propose to prove the facts first.

(*The President.*) Mr. Healy, you may take it, and I address myself to you because you have conducted your case yourself, that the Court will take care that you shall have ample time to meet any case which appears pointed directly at you.

(*Mr. Healy.*) With great respect to your Lordship, I am afraid I have not made myself perfectly clear. I understood this inquiry was being conducted as in an action for libel. I point out to your Lordships that in an action for libel justification is pleaded; or if it is an indictment, and a charge of conspiracy is made, you would be entitled to particulars. Certain particulars of a loose kind have of course been furnished, but if the *Times*, as we say, having libelled us, plead justification to the libel, surely they are in possession of the facts which will justify these charges, consequently the *Times* must have the facts before them, what is the necessity for the delay.

(*The President.*) I have heard all you have said, and I can say no more than that which I have already stated.

The Court adjourned until Tuesday, 6th November, at 10.30,







**"Uncorrected Proof."**

SPECIAL COMMISSION ACT, 1888.

ROYAL COURTS OF JUSTICE,  
PROBATE COURT No. 1,  
Tuesday, 6th November 1888.

(*The Attorney-General.*) My Lords, before proceeding to call evidence I have to call your Lordships' attention to a paragraph in the paper which I will hand up to your Lordships. I do not wish at the present time unnecessarily, if I can possibly help it, to call your Lordships' attention to these matters, or to take any steps in reference to the paragraph which I wish to show your Lordships, unless it is absolutely necessary. But having regard to the nature of this paragraph, I hope your Lordships may think it fitting, at any rate, to express some opinion upon it; because we have obtained statements from a great number of witnesses, and it may be necessary I should bring before you evidence as to the intimidation that is now being practised, in order to prevent witnesses giving evidence before the Commission. I merely ask your Lordships to look at this paragraph—not at the present time wishing to take any steps either against the writer, or the proprietor of the paper; but for your Lordships to see it, and if you think it right to make some statement with regard to the paragraph. Perhaps I may also say that one of the persons named in it is one of the parties charged or incriminated. It is at the top of the page beginning "Comments on Captain O'Shea's evidence." (*The paper was handed to the President.*) I only desire to say that I mention this matter after consultation with my learned friends Sir Henry James, Mr. Murphy, and those who are with me—not because I wish to interfere in the least with any publication, but because it may be necessary to stop any proceedings which may have the effect of carrying on still further that which I shall at some time or another have to bring before your Lordships, namely, the intimidation of witnesses who have been summoned to attend before you.

(*Sir C. Russell.*) My Lords, a statement of that kind ought to be made, I think, upon some evidence before your Lordships.

(*The President.*) It will have to be substantiated.

(*Sir C. Russell.*) I should have thought if an application were going to be made with regard to any matter in the paper, though my friend has not mentioned the name, that notice ought to be given to the paper, in order that it might explain or justify. But as the matter has been mentioned by my learned friend, I have now to call your Lordships' attention to the fact that, notwithstanding one of the questions, and as I think you will agree, one of the most important questions is, the authenticity of the letters the "Times" publishes every day, a paper containing the letter, the authenticity of which is in question, and calls it Mr. Parnell's *fac simile* letter. I am also informed, and they have since this trial began, published a book containing an *ex parte* statement, and in particular the Attorney-General's opening speech in the case, which, so far as we have looked into it, is already open to some corrections as to that speech. I am also informed—I have not read them—there are some most serious misrepresentations given of the evidence in Court, as late as the evidence of Captain O'Shea, namely, as to the concurrence of Mr. Parnell in certain matters.

(*The Attorney-General.*) Of course, I can only agree with my learned friend Sir Charles Russell in calling attention to such matters. But I have called your Lordships' attention to a specific matter, without mentioning any names. If you think fit, I would venture to ask your Lordships to express an opinion upon such articles without referring to names.

(*The President.*) I think it very desirable, not only in the interest of the undisturbed course of justice, but in the interest of the persons themselves, that I should say thus much: that if it can be established that language reported here has been used, it amounts to intimidation of the clearest possible kind, and would subject the person guilty of using it to the action of the Court. However, I am willing to let it pass, as the Attorney-General says that he only invites an expression of opinion from the Court,



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ATTORNEY-GENERAL AND OTHERS.

[Continued.]

and I have the concurrence of my brothers in what I have said. Wholly apart from that which has been brought to my attention, let me express a most earnest wish that those who seek to guide public opinion will abstain during the period of this inquiry, which I need scarcely say imposes upon me a burden which I feel very doubtful whether I can sustain. Let me entreat both parties to abstain from comments on the case all, and to leave us undisturbed in the performance of the painful duty we have got to discharge.

(*Sir C. Russell.*) Has your Lordship made any allusion to my statement as to the "Times" proceedings in the publication of the pamphlets?

(*The President.*) I have not; if you make any application on the subject I shall be obliged to deal with it.

(*Sir C. Russell.*) I make an application in a similar sense and in a similar manner to what my friend has done.

(*The Attorney-General.*) Will my friend bring any specific matter before the Court?

(*Sir C. Russell.*) Very well, I may call your Lordships' attention at once. Has any one the "Times" of to-day; I am told it is in the "Times" of to-day, and they are all alike of course. I also desire, my Lords, to call attention to the separate publication of the *ex parte* statement of the Attorney-General's speech.

(*The President.*) If you really are only asking for a suggestion on my part of what may meet the difficulty, it would be this: that in future the word "alleged" should be put before it, which would set the whole matter right, because, of course, we are inquiring into it. That is the assertion on the part of the "Times," and I suppose it will not be difficult to find positive assertions the other way.

(*Sir C. Russell.*) No doubt, my Lord, which I should equally deprecate.

(*The President.*) That is equally prejudging the question.

(*Sir C. Russell.*) I quite agree, my Lord. I should equally deprecate that. I wish to say also that I should regard it as a great misfortune and peril to those concerned in this case if it should be thought they were, directly or indirectly, any party to any means of intimidation or the suggestion of intimidation against anyone. My attention has been called for the first time to this. I understand it took place at a meeting of the Limerick Board of Guardians.

(*The Attorney-General.*) Pardon me, I referred to a publication in the public press on Monday.

(*The President.*) My observation applied to the thing said and to the publication of it.

MR. ALBERT CHESTER IVES SWORN, examined by the ATTORNEY-GENERAL.

1845. In the year 1879 were you special correspondent to the "New York Herald"?—I was.

1846. Did you sail in the steamer "Scythia" for New York, leaving, I think, on the 21st of December 1879, and arriving in New York on the 1st of January 1880?—I do not exactly remember the dates. I remember we arrived on the 1st.

1847. The 1st of January 1880. On board that steamer were Mr. Parnell and Mr. Dillon?—Yes.

1848. Did you have—only answer Yes or No—several interviews with Mr. Parnell and Mr. Dillon?—Yes.

1849. Did you write out a memorandum of those interviews, and in the course of the voyage at Mr. Parnell's request submit it to him for revision?—I did.

1850. Was it submitted to Mr. Parnell in the presence of Mr. Dillon?—It was.

1851. And were corrections made in the draft memorandum or in the memorandum you had written out by Mr. Parnell and by Mr. Dillon?—By Mr. Parnell, yes.

1852. Was Mr. Dillon present when any corrections were made in your presence?—Yes, he was.

1853. Will you look at the "New York Herald" for the 2nd of January 1880. I think I have made it clear Mr. Parnell and Mr. Dillon were passengers to America in the same steamer?—Yes.

1854. Will you look at that publication of the "New York Herald" of the 2nd of January 1880. Is that a correct transcript of your memorandum (*the file was handed to the witness*)?—Yes.



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[Continued.]

1855. Have you verified it with the notes?—I did not take any notes of any conversation at all.

1856. You wrote out a memorandum; then had it corrected, or rather altered or corrected, whatever it was, by Mr. Parnell, and you published it when you got to New York?—Allow me to say that the “interview” was the result of perhaps 20 conversations or more, and of each one I wrote the notes out from memory afterwards, for each conversation.

1857. And then submitted it to Mr. Parnell?—And then, having collated the whole thing, submitted it to Mr. Parnell.

1858. Having collated the whole of the 20 conversations, or whatever it was, the whole thing was submitted to Mr. Parnell?—Yes.

1859. And published on the 2nd of January 1880?—Yes.

(*The Attorney-General.*) I propose to put this in.

(*Sir C. Russell.*) I do not object.

(*The Attorney-General.*) Hand it down to me, and I will read it.

(*Sir C. Russell.*) It is better the Secretary should read it.

(*The Secretary was about to read the article.*)

(*The President.*) I must say I think it is more inconvenient that the Secretary, who is not the officer of the Court, should read it than that the Attorney-General should, take out that portion which he thinks important.

(*The Attorney-General.*) I wished to read it, and after your Lordships' intimation I will read it.

(*Sir C. Russell.*) I appreciate your Lordship's observation.

(*The President.*) The Attorney-General is conversant with it. He will read it more readily than the Secretary, who has to find out what is wanted.

(*Sir C. Russell.*) I have a reason for wishing the Secretary to read it, my Lord.

(*The President.*) If you wish it, the Secretary shall read it.

(*Sir C. Russell.*) I have no wish, then, my Lord that the Secretary should read it.

(*The Attorney-General.*) Hand it to me, then, Mr. Secretary.

(*Sir C. Russell.*) First of all get the witness to identify which is the one.

1860. (*The Attorney-General.*) You have looked through this?—Yes.

1861. “Conversation with Parnell.” That is the heading, I begin. What was the writing out of the matter which had been revised by Mr. Parnell?—Mr. Parnell did not see the introduction.

(*The Attorney-General.*) I am not speaking of the introduction; kindly look at the article.

(*Sir C. Russell.*) Mark it.

1862. (*The Attorney-General.*) You must not mark it. It is the British Museum copy. “The correspondent”; that I presume is you?—Yes.

1863. “Mr. Parnell”; that is Mr. Parnell?—Yes.

1864. It is in the shape of question and answer. Are those the notes of what was submitted to Mr. Parnell?—Exactly.

1865. (*Sir C. Russell.*) When?

(*The Attorney-General.*) I will show you in a moment.

(*Sir C. Russell.*) How is it headed?

(*The Attorney-General.*) Headed “Conversations with Mr. Parnell.” I leave out anything which is not purporting to be conversation.

“Conversations with Parnell.

“Desirous of an explanation of his plans in America with some account of the distress in Ireland and of his views on the land question stripped of the glittering generalities of platform oratory, I began by asking Mr. Parnell what he considered would be the actual amount of distress in the west of Ireland this winter.

“*Mr. Parnell.* There will be doubtless a partial famine, and my own estimate, based upon information I have received from trustworthy sources, is that at least 250,000 persons will be utterly destitute before the 1st of February. Their potatoes will be gone by that time, and they have not the money with which to buy meal, which will not be furnished to them on credit as it was last year. The worst of it all is the people will eat their seed potatoes when the others have gone, and this will deprive thousands of seed for next year, rendering the situation much more serious.



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[Continued.]

“ *Correspondent.*—Do you not think the appeal of the Duchess of Marlborough (the wife of the Lord Lieutenant of Ireland) for assistance for the distressed will be effectual in raising the necessary amount of relief ?

“ *Mr. Parnell.*—It will not, for it is evident that that appeal is made through political motives dictated by the Government. All relief given through these channels will only be given to those who pay their rent or hold aloof from our movement. It will be made a condition that they will get so much if they pay their rent, just as in the famine of 1847 and subsequent years relief from England was used for proselytising purposes, help being given only to Catholics starving who would abandon their religion for Protestantism. So, indirectly, this English relief fund is a movement to help the landlords by furnishing the tenants money to assist in paying their rents.

“ *Correspondent.*—Generally speaking, however, you would, I suppose, encourage any number of relief funds ?

“ *Mr. Parnell.*—We have no objection to any relief funds, not started or likely to be used for political purposes, but we have no faith in movements started under the auspices of the landlords of Ireland.

“ *American relief for Ireland.*

“ *Correspondent.*—Shall you ask for money in America for relief of Irish distress ?

“ *Mr. Parnell.*—I consider the British Government ought to relieve the distress, and we have been watching and waiting to see whether the Government would fulfil its duty in this respect. Finding that it did not, the Land League decided just before I left Ireland to receive subscriptions for the distressed, and we feel ourselves compelled to say, although our primary object is to raise money in aid of the Land League, that if any charitable Americans desire to entrust us with funds for the relief of the poor in Ireland we shall be happy to receive them, and apply the money, through our local organisations, according to the wishes of the donors. But it would not be necessary for me to come to America simply to ask for assistance for the distressed Irish. America would send relief as soon as she knew of the distress. In the famine of '47 she sent assistance to Ireland before England, and she has done the same this time.

“ *Correspondent.*—You do not, then, endorse the statement of the London ‘Times’ that while relief from America is very acceptable, all real and substantial assistance must naturally come from England ?

“ *Mr. Parnell.*—No, that is not so. Funds for suffering Irish have never been popular in England. Why, in 1847 the Queen of England was the only Sovereign in Europe who gave nothing out of her private purse to the starving Irish. The Czar of Russia gave, and so did the Sultan of Turkey ; but Queen Victoria sent nothing.

“ *Correspondent.*—Are not many landlords starting improvements on their estates for the purpose of giving their tenants relief ?

“ *Mr. Parnell.*—Some of them are doing a little, and doubtless mean well, but all their improvements put together are but a few drops in the bucket.

*History of the Agitation.*

“ *Correspondent.*—What was the origin of the present land movement, Mr. Parnell ?

“ *Mr. Parnell.*—The land agitation was started by Mr. Davitt in April last, taking advantage of the threatening state of affairs for the purpose of obtaining the land for the tillers of it. The first meeting was held in Irishtown, in County Mayo. John Ferguson, of Glasgow, and O'Connor Power were the speakers on that occasion. The second meeting was held at Clanmorris, and the third at Westport, which was the first I attended, and it happened to be the first that attracted attention or was reported in the English newspapers. Meetings were held constantly during the summer, although it was exceedingly wet. Sundays, the day on which our meetings are held, being particularly inclement. Sixty-eight meetings have been held in all during the past eight



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“ months, and 620,000 persons on foot and 13,000 horsemen have attended them.  
 “ This estimate is put considerably below that of the “Freeman’s Journal”  
 “ reports of the various meetings.

“ *Correspondent.*—Will not the interest suffer during your absence?

“ *Mr. Parnell.*—Mr. Davitt tells me there are some 13 meetings organised  
 “ for January, so there seems no decrease in interest.

“ *Correspondent.*—What is the Land League for which you intend to ask  
 “ for money?

“ *The Irish Land League.*

“ *Mr. Parnell.*—The Land League was started about two months ago when  
 “ we issued our appeal to America. The central organisation is in Dublin, and  
 “ there are now about 30 local branches in different parts of the west and north-  
 “ west of Ireland, though they are not all yet in a state of perfect organisation.  
 “ These will be extended and perfected, and will be directed from the central  
 “ organisation, though each branch is self-supporting.

“ *Correspondent.*—How much money do you want for organisation?

“ *Mr. Parnell.*—We only want about \$25,000, which I calculate will be  
 “ sufficient for the purposes of our movement for three or four years, by which  
 “ time I have every reason to hope the land question will be settled.

“ *What Money is wanted for.*

“ *Correspondent.*—What is the nature of the expenditure which this sum is  
 “ intended to meet?

“ *Mr. Parnell.*—There are a great number of objects to which it could be  
 “ applied with advantage. First, to recompense unjustly evicted tenants in such  
 “ cases as we may select as test cases, like that of Dempsey, who was still by the  
 “ roadside when we left, holding out pluckily by the help of private subscriptions.  
 “ A permanent fund for the purpose would encourage the tenants to maintain a  
 “ determined attitude, and to hold out longer than they otherwise could, for they  
 “ would know that if the worst came there would be an organisation with money  
 “ at its back to help them. And I need not tell you that many of these people  
 “ living on wretched lands would gladly go out, if another and better holding  
 “ were provided for them, and there are plenty of farms, the tenants’ goodwill of  
 “ which might be bought for them.

“ *Correspondent.*—I suppose there will also be costs for resisting evictions in  
 “ the courts?

“ *Mr. Parnell.*—No, we do not propose to defend cases in the courts, because  
 “ the processes before the Land Courts are farces, and no substantial justice can  
 “ be obtained in them, and the money only goes into the pockets of lawyers.

“ *Correspondent.*—Are these all the modes of expenditure.

“ *Extending the Agitation.*

“ *Mr. Parnell.*—“Oh, no. With a little money we could extend the agita-  
 “ tion very materially in many ways. There are, for instance, numbers of  
 “ talented young men in Ireland who are able, and who would gladly undertake  
 “ the task of educating the people regarding the political economy of the land  
 “ question, if they had but their expenses paid. It is not intended to pay any  
 “ salaries, only to cover expenses out of pocket. Up to the present all the speakers  
 “ have paid their own travelling expenses, and this proved a great drain on the  
 “ resources of some of them. It is only right the bare travelling expenses should  
 “ be paid by the League, when they are giving their time and energies to the  
 “ movement.

“ *Further wants of the League.*

“ We shall also soon need a paid Secretary for the League. At present the  
 “ correspondence is being done by honorary secretaries, but as they have private  
 “ business to attend to it will be impossible for them to continue this, and a paid  
 “ Secretary must be had. There is another work we have in hand which will cost  
 “ money. We are issuing forms asking for certain details in reference to the  
 “ rent valuation, &c. on all the holdings in Ireland. These when obtained will be



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“ most valuable assistance to the movement. The Landlords’ Association have  
 “ imitated our action, and have also issued forms calling for information of a one-  
 “ sided character, and this renders more necessary the success of our attempt to  
 “ get correct information. There are various other ways in which money would  
 “ be of great service in promoting our organisation, as any politician can tell  
 “ you.

“ *American Contributions.*

“ *Correspondent.*—How do you propose to collect this money, Mr. Parnell?

“ *Mr. Parnell.*—We hope it may be possible to form committees in all the  
 “ cities we visit for the collection of subscriptions, and they may also take money  
 “ for the distress.

“ *Correspondent.*—How much has been collected in Ireland for the Land  
 “ League?

“ *Mr. Parnell.*—We have not made any organised attempt to collect sub-  
 “ scriptions in Ireland, but had received when I left \$1,200 from various sources.  
 “ Of course our constituents are the tenant farmers, and they are unable to give  
 “ and have not been asked to, for they have to bear the local expenses of the  
 “ meetings held in their districts. The cost of each of the agitation meetings is  
 “ reckoned to be about \$30, so that they have in reality contributed something  
 “ like \$1,800 this summer and autumn. That is all that can be asked of them.

“ *Home and Foreign sympathy.*

“ *Correspondent.*—Is it not a misfortune that your agitation has so few men of  
 “ standing connected with it, and that it does not receive recognition from the  
 “ more respectable classes?

“ *Mr. Parnell.*—If the men of whom you speak were connected with it, then  
 “ there would be no necessity for agitation. But a movement of this kind is  
 “ necessarily unpopular. It is not respectable. It is unfashionable. The ‘ men  
 “ of standing ’ are landlords and aristocrats, and of course will not work against  
 “ their own interests. The Protestant middle classes hold aloof too, because their  
 “ interests are in the direction of those who have social or political recognition  
 “ and advancement to dispense. Our constituents are the poorest and most  
 “ helpless classes of people, without friends or the hope of assistance from the  
 “ classes above them.

“ *Correspondent.*—How do you account for the apparent want of sympathy for  
 “ your agitation which prevails in the United States and France?

“ *Mr. Parnell.*—Foreign sympathy is almost invariably with the aristocracy  
 “ and against the oppressed. History proves that moreover France receives her  
 “ knowledge of affairs in Ireland through English correspondents. American  
 “ journals also get their Irish news filtered through London and the correspon-  
 “ dents have no facilities for seeing for themselves the real state of the people by  
 “ coming in actual contact with them. I hope in my lecture to state our case  
 “ clearly and fairly, and correct erroneous notions which exist abroad regarding  
 “ it?

“ *Correspondent.*—Do you not think the actual good done by the reduction  
 “ of rents in Ireland is very small to the individual tenant?

“ *Reduction of Rents.*

“ *Mr. Parnell.*—Perhaps to many tenants a 20 per cent. reduction is of little  
 “ avail; to others it is of importance. On the other hand, it has greatly  
 “ embarrassed landlords who are dependent on high rents, and for whom, in many  
 “ cases, the margin between a high rent and a fair rent is all they have to pay  
 “ the charges and encumbrances on their estates. In other words, many landlords  
 “ are obliged to make a tenant pay a very high rent in order to meet the  
 “ encumbrances on his estate, and leave something for themselves. The land  
 “ agitation will force the estates of such men into the market, and as there will  
 “ be in future few purchasers except tenants, the tenants will get a chance to  
 “ become purchasers at reasonable prices, which they never had before. The  
 “ landlords will be forced to insist on the Government reforming the land system,



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“ and enabling the tenants to purchase. They will not do it while they are  
 “ getting high rents, and the Government will do nothing for us.

“ *Results of the Agitation.*

“ *Correspondent.*—How far has the situation you desire to create been  
 “ achieved?

“ *Mr. Parnell.*—Previous to this movement the price of land in the Landed  
 “ Estate Court was at 22½ years' purchase, with fair sales; now, it only fetches  
 “ 15 years' purchase, and the sales are very low. That you may understand the  
 “ difference more clearly, I will explain, that when you buy at 22½ years'  
 “ purchase it returns an annual interest of 4½ per cent., while at 15 years'  
 “ purchase it returns an interest of 7½ per cent., which means that before the  
 “ movement land was a good investment at 4½ per cent., while now it is con-  
 “ sidered a good investment at 7½.

“ *Correspondent.*—Why should not tenants have been assisted to buy their  
 “ holdings after the famine, when land was cheap?

“ *Mr. Parnell.*—It should have been done, and had steps been taken to enable  
 “ occupying tenants to purchase their holdings there would now be in Ireland  
 “ 100,000 tenants owners of their own land. Instead of that, estates coming  
 “ into the market after the famine were sold at very low rates to land jobbers or  
 “ speculators, who make the worst kind of landlords, almost invariably raising  
 “ the rents, and treating the tenants very badly.

“ *Correspondent.*—Are not the worst landlords generally the small ones, and  
 “ not the great landed proprietors?

“ *Mr. Parnell.*—It is perfectly true that the hardest, most exacting landlords  
 “ are small owners and land jobbers, who have bought their estates in the  
 “ Landed Estates Court; but what I say to this is, that if the Bright clauses of  
 “ the Land Act (which enable the tenants to buy their own holdings whenever  
 “ they came up for sale in the Landed Estates Court) were facilitated by the  
 “ landlords instead of obstructed these speculators could not buy these estates.  
 “ But as a fact, the landlords opposed the passing of the Bright clauses, and  
 “ since they have been passed every obstacle has been thrown in the way to make  
 “ them, as they are, practically inoperative.

“ *What Rent is.*

“ *Correspondent.*—I am told on the best authority that there are in Ireland  
 “ 100,000 holdings which only pay a yearly rental of 3l. and under, and that most  
 “ of the tenants on these holdings are in debt from 3l. to 10l. to shopkeepers or  
 “ money lenders. Now what proportion does a reduction of 25 per cent. in the  
 “ rent bear to the debt to the shopman, and why should not the latter make a  
 “ reduction as well as the landlord,

“ *Mr. Parnell.*—That raises the question regarding the difference between  
 “ debt and rent for land in a country like Ireland, where land is limited and the  
 “ conditions of title are peculiar. A man should pay his just debts, but practical  
 “ economists establish the maxim that rent is surely a fair share of the profits of  
 “ the land, and that when there are no profits there is no rent. The shopkeeper  
 “ has furnished the tenant with the necessities of life, and should be paid, but the  
 “ landlord has only furnished land, which this year has not earned half a living,  
 “ and he should therefore bear his share of the loss.

“ *Correspondent.*—But many of the poorest tenants are paying their rents.

“ *Mr. Parnell.*—Yes; but rents paid this year are not paid out of the profits  
 “ of this year's farming, they are being paid from the earnings of past years, or  
 “ out of sums borrowed. We cannot, of course, prevent all tenants from paying  
 “ their rents, and there are cowards among them who have not shaken off their  
 “ belief in the divine rights of landlords. It is this doctrine which we are trying  
 “ to eradicate from the tenants' minds, and with great success generally. We  
 “ don't attach so much importance as you may think to the mere reduction of  
 “ rent. We don't consider the land question settled by the reduction of rents, by  
 “ any means. It is only a temporary assistance, but it establishes a principle.  
 “ The greatest object we have gained, after all, is to have instilled into the minds  
 “ of the tenants their true relation to the land, and the true relation of the land-



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[Continued.]

“ lord to it. The farmers thought before the agitation that the landlord had an  
 “ absolute, a divine right, to the land, and that the rent was the first debt to be  
 “ paid, at all costs. We have shown them the difference between the property in  
 “ land and the property in an article of merchandise. We have taught them the  
 “ difference between rent and an ordinary debt. But it is necessary to continue  
 “ this teaching, and to so deeply root this doctrine in their minds, that a returning  
 “ and temporary prosperity—if that ever returns without reform—will not tempt  
 “ them to forget their rights and wrongs.

“ *When Rent should not be paid.*

“ *Correspondent.*—Do you not believe it wrong for a tenant who is able to pay  
 “ his rent not to pay it?

“ *Mr. Parnell.*—No. I think that where the majority of the tenants are  
 “ maintaining a principle in refusing to pay an unfair rent, that it is cowardly  
 “ and wrong for a few to violate the wishes of the majority, and to thus make the  
 “ movement, which is for general good, inoperative.

“ *Correspondent.*—But do you not believe in the consequences which are  
 “ visited upon tenants who do pay their rents?

“ *Mr. Parnell.*—Well, it may be accepted as an axiom that you cannot effect  
 “ a social revolution by dealing with it with kid gloves. Of course, if any  
 “ farmers have burned the crops of their neighbours, or destroyed their cattle  
 “ because they have paid their rents, those farmers are not only wrong, but they  
 “ are fools, for they have to pay the cost. The person who has thus had his  
 “ crop or stock destroyed is remunerated by the law, and his fellow tenants  
 “ have to bear the loss. But a certain amount of pressure from public opinion,  
 “ which in such cases is apt occasionally to manifest itself in unpleasant ways,  
 “ must be brought to bear upon those who are weak or cowardly. Look at the  
 “ strikes in England and America, and the penalties threatend towards traitors to  
 “ the common cause.

“ *Correspondent.*—As a consequence of the agitation, do not many tenants  
 “ who are only paying a fair rent demand a reduction?

“ *Mr. Parnell.*—Undoubtedly, but I admit there should be discrimination  
 “ made between landlords. Those who have not raised their rents since 1850,  
 “ and those whose rents are at or about the Government valuation, should not  
 “ be asked to reduce, but those who have repeatedly raised them should be obliged  
 “ to reduce materially.

“ *Correspondent.*—Were the landlords reducing their rents before your  
 “ agitation began?

“ *Mr. Parnell.*—Not at all. The landlords of Ireland were most stupid not  
 “ to reduce their rents in the first place, as the English landlords did, and as they  
 “ were obliged to do in most cases after the agitation began.

“ *Re-Distribution as a Remedy.*

“ *Correspondent.*—What would you think of a plan for re-distributing the  
 “ land, taking half the people off the districts where the small holdings prevail,  
 “ and putting them upon new and larger holdings, consolidating the land which  
 “ they have left with the holdings of the tenants who remain.

“ *Mr. Parnell.*—That would be a good plan, probably, but the time has not  
 “ yet come for such a solution. Re-distribution or any other plan for temporarily  
 “ relieving the difficulties of the landlords, unaccompanied by proper legislation,  
 “ fixity of tenure, or peasant proprietorships or something, would only increase  
 “ the discontent. It is such legislation that we are fighting for, and it is our  
 “ duty not to make the position less difficult for the Government or the landlords  
 “ than it is at present.

“ *Correspondent.*—If the farmers were made peasant proprietors to-morrow  
 “ would they not soon be in the hands of the money lenders?”

“ *Mr. Parnell.*—Some of them, undoubtedly, but that would only teach others  
 “ the necessity of frugality and thrift. We don't expect to bolster up those who  
 “ are lazy and unwilling to work. The unthrifty and indolent and wasteful must



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“ go to the wall, while the hardworking saving farmer will grow prosperous and swallow up his inferior neighbour.

“ *Correspondent.*—But will not the effect of that be to create a new race of landlords in a short time?

“ *Mr. Parnell.*—No, because if such a danger as you suggest were threatened we would be perfectly prepared to pass a law forbidding renting on agricultural holdings when the tenant had been assisted by the State to become the owner. But I do not think such a law would be necessary, for, with local registration, such as you have in the United States, with simple methods of transferring property, in place of the present complicated system, farmers would prefer to sell rather than rent when they had more land than they needed. I do not believe that any farmer should own more land than he can profitably farm. When he finds himself overloaded let him sell.

“ *Correspondent.*—How would you regulate the size of farms? Would it not be a very difficult matter?

“ *Future Size of Farms.*

“ *Mr. Parnell.*—What I wish to do is to create a natural state of affairs. A general enforced plan for re-distributing the land might not be wise; certainly not if conducted by the landlords. Give the people the land and let it gradually distribute itself. Farmers would buy and sell, consolidate or subdivide, according to their inclination, and the size of farms would soon be regulated. The most profitable size would depend much on the locality and on the markets. Some lands are only fit for small farms; others are suitable for large. An increased demand for certain articles of produce or the decreased demand for others would have a great effect in determining the size of farms.

“ *Correspondent.*—Would the tendency be towards large or small farms, do you think?

“ *Mr. Parnell.*—The American competition in cattle and the probable future state of the markets indicate that there would not be much temptation among farmers to create abnormally large farms. On the contrary, the large farms must be made smaller if they are to be farmed profitably, while it will be the ambition of the smaller farmers to increase their holdings to the limit of their ability to farm profitably.

“ *Correspondent.*—I have heard of cases where landlords have tried to improve the condition of their tenants by putting them on better land and in better houses (re-distributing on a small scale), but the tenants have grumbled and said they preferred their meaner hovel and half-barren land. Can you explain this?

“ *Mr. Parnell.*—Yes; easily. It is, first, because the tenant has an inherent suspicion of the landlord's motives; and, second, because such re-distribution on an estate generally means that the landlord is merely engineering to increase his rentals, and is not so much interested in the welfare of his tenants as he seems. For instance, a landlord transfers a tenant from a fair holding to a better one, on which the tenant pays more than his predecessor. This tenant he replaces by another taken from some poor mountain land, and the latter is in turn charged more rent than the landlord has got from the other tenant. Then he puts a new tenant on the mountain side, making him in turn pay more than his predecessor. Thus you see, while the tenants may or may not be benefitted by the change, the real object is to increase the rental of the landlord, and without that object the tenant would probably be left alone.

“ *Extravagance of Tenants.*

“ *Correspondent.*—Have not the poorer tenants of Ireland been living extravagantly?

“ *Mr. Parnell.*—Some of the people have been doubtless living beyond their means. The almost unlimited credit given by shopmen, and the easy terms offered by banks and moneylenders have had the effect of tempting them to live better than they used to do. They have learned that they may have tea, that they may eat white bread instead of that made from Indian meal, and that



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“ their daughters may dress a little better at a trifling expense, but compared  
 “ with the peasants of other countries how miserable is their existence, and how  
 “ content are they with their comfortless houses and plain coarse food. If they  
 “ will not bear comparison with the peasantry of other countries it is because of  
 “ the land system. If some of the people are thriftless and often lazy and dirty,  
 “ what has done it but the system of landlordism? And yet the landlords cry out  
 “ against the farmer, because he spends 12s. for his daughter's hat, or indulges  
 “ his wife with tea.

“ *Correspondent.*—Do you not think it possible that the encouragement to get  
 “ into debt offered by shopmen and gombeen men (usurers) is responsible for  
 “ much of the present distress, and for the state of total bankruptcy in which the  
 “ farmers are now in?

“ *Mr. Parnell.*—I think you lay too much stress on the credit system. It is  
 “ doubtless an evil, but it is only a branch. We are striking at the root. If we  
 “ thought the gombeen man and the shopman were the source of the present state  
 “ of affairs we would strike at it with all our might; but it is not the source. It  
 “ is only one of the evil consequences of the land system. If the people were  
 “ given a start on their own land they would with some exceptions take good  
 “ care to keep out of the clutches of money-lenders, and if need be a usury law  
 “ could be passed to prevent exorbitant rates of interest being charged, but I have  
 “ no anticipation that anything of the kind would be at all necessary.

“ *Agitation a Mistake.*

“ *Correspondent.*—Are there no other means than agitation for winning land  
 “ reform?

“ *Mr. Parnell.*—No, nothing else can do it. Ireland never won any great  
 “ reform except by agitation, and this agitation, like obstruction, has been  
 “ necessary in order to gain the attention of the Government. When a Govern-  
 “ ment or a country totally disregard you, you must use strong and even  
 “ disagreeable measures to get their attention. The methods may be distasteful  
 “ but they are imperative.

“ *Correspondent.*—Do you intend to resume your obstruction tactics in  
 “ Parliament next session, Mr. Parnell?

“ *Mr. Parnell.*—I hope there will be no occasion for obstruction next  
 “ Parliament. If the Liberals get in, as I believe they will, there will be no  
 “ further cause for obstruction, for the first Liberal Government which is  
 “ established will see the dangerous position of Irish affairs and will apply itself  
 “ to proposing some remedy. But it is our duty, as I have said, to make the position  
 “ as difficult as possible. Experience has shown that England will not pay any  
 “ attention to Irish affairs until the position has become unbearable for herself.  
 “ Gladstone himself stated that disestablishment did not come within the domain  
 “ of practical politics until a prison in the heart of the metropolis (Clerkenwell)  
 “ had been blown up and a policeman in Manchester had been murdered by the  
 “ Fenians.

“ *Correspondent.*—Do you think the arrest of Davitt and the other agitators  
 “ was judicious?

“ *Mr. Parnell.*—It was a great mistake for the Government to have taken  
 “ half measures. If they had wanted to stop the agitation they should have  
 “ arrested all, not part, of the leaders, and kept them locked up instead of allowing  
 “ them out on bail. As it was they only assisted the agitation.

“ *The 'Herald's' questions answered.*

“ *Correspondent.*—The 'Herald,' in commenting recently upon the Irish land  
 “ question, said it was 'a question to be considered whether peasant proprietorship  
 “ 'is of greater advantage to a country than freehold proprietorship simply.'

“ *Mr. Parnell.*—The term 'peasant proprietorship' in connexion with our  
 “ movement is a misnomer, and I have always said so. Peasant proprietary means  
 “ that the land shall belong to the peasant only, while I believe in free land and  
 “ in allowing the size of farms to regulate itself.



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“ *Correspondent.*—The ‘Herald’ asks:—‘If a bought out landlord—an Irishman, for instance,—wishes to go into farming on a large scale in Ireland, will he be permitted under the new scheme to purchase the necessary land?’

“ *Mr. Parnell.*—Certainly. Allow anybody to buy land in any quantities who has the money to pay for it.

“ *Correspondent.*—The ‘Herald’ also asks: ‘If the land is made free for the peasant, should it not be made free for the wealthy?’

“ *Mr. Parnell.*—Certainly. The simple answer to that is that the seller will always sell to the man who will give the most for the land.

“ *Correspondent.*—Also: ‘Does it need, in order to bring about the Parnell era, that wealthy Irishmen should be banished in order that the peasant proprietors may flourish?’

“ *Mr. Parnell.*—Certainly not, as you may judge from the preceding replies.

“ *Correspondent.*—The Government’s remedy for the poverty of Ireland is emigration. What objection have you to sending to America or Australia those who will go?

“ *Mr. Parnell.*—I have no objection to a natural emigration, but I object to an unnatural one or one unwarranted by circumstances. It is undoubtedly true that where there is a thick population it is too thick for the capability of the land, but this is because the people have been driven from rich to poor lands. I should like to see the capacity of the rich lands fully availed of before we take advantage of emigration. I feel perfectly sure that there is plenty of room for the present population of Ireland.

“ *Fenianism in Ireland.*

“ *Correspondent.*—I have heard much in the West, Mr. Parnell, regarding Fenianism and its present active organisation. Do you think the Fenians are in sympathy with the present land movement?

“ *Mr. Parnell.*—As far as I have been able to gather the Fenian organisation and its leaders are opposed, though not hostile, to our movement, the reason being that it is constitutional. A true revolutionary movement in Ireland should, in my opinion, partake of both a constitutional and an illegal character. It should be both an open and a secret organisation, using the constitution for its own purposes, but also taking advantage of its secret combination. But the leaders of the Fenian movement do not believe in constitutional action, because it has always been used in the past for the selfish purposes of its leaders. There was a strong objection by the Fenians to our Parliamentary action for the same reasons, and indeed if we look at the action of the Irish parliamentary leaders since the Union, there is ample justification for the views of the physical force party.

“ *The Legality of the Movement.*

“ *Correspondent.*—Is there anything secret in connexion with the Land League?

“ *Mr. Parnell.*—Nothing whatever, I would not belong to any illegal body.

“ *Correspondent.*—Do you think Mr. Davitt has anything to do with the Fenian organisation.

“ *Mr. Parnell.*—I do not believe Davitt is one of the leaders of the organisation, nor has any control over its movements, though of course he openly and avowedly holds to his principles of Irish nationality the same as ever.

“ *Mr. Parnell and Obstruction.*

“ *Correspondent.*—I believe you are a considerable landlord, Mr. Parnell?

“ *Mr. Parnell.*—I own some property, but not much, in agricultural holdings. I own some country seats and some house property in Dublin.

“ *Correspondent.*—Did you give a reduction to your tenants?

“ *Mr. Parnell.*—To the farmers I gave 20 per cent. reduction, but of course not in the other cases. I received recently, however, a letter from the occupier



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“ of some house property of mine in St. Stephen's Green, Dublin, one of the  
 “ fashionable squares of the capital, asking me if I was going to give a reduction  
 “ in rent. I replied that when St. Stephen's Green was cut into agricultural  
 “ holdings he should have a reduction with great pleasure.

“ *Mr. Parnell's Plans.*

“ *Correspondent.*—Will your statement to the American public regarding the  
 “ object of your visit take any particular form, or will your speeches be  
 “ informal?

“ *Mr. Parnell.*—I think at present my statement will take the form of a  
 “ lecture. I intend to give a brief history of the land question up to the present  
 “ time, and a description of the rise and progress of the present land movement. I  
 “ shall relate the various remedies which have been proposed from time to time,  
 “ and their effects, and I will state what we have to suggest. I may say a little  
 “ regarding the principles on which we proceeded on our Parliamentary action.

“ *Correspondent.*—What are the remedies you suggest?

“ *Mr. Parnell.*—We are not in haste to propose any detailed plan at present.  
 “ Many plans have been proposed, but we simply deem it our duty to get the best  
 “ possible solution for the tenants. How much we can get depends on circum-  
 “ stances; on our energy; on the strength of our movement; on the courage and  
 “ independence of the farmers themselves; on price of produce, and on the attitude  
 “ of the landlords. If they are obstinate it will be easier to obtain a better final  
 “ solution than if they are conciliatory. We do not intend to throw over the  
 “ claim to fixity of tenure at fair rents, but we feel it right to make peasant  
 “ proprietary our first plank.

“ *American tour of the Agitators.*

“ *Correspondent.*—Are you at liberty to tell your movements while in  
 “ America?

“ *Mr. Parnell.*—I expect to remain in New York a few days to attend a  
 “ meeting which I understand has been arranged for. After that much will  
 “ depend upon the plans made for us by the American committee, but I expect  
 “ to go next to Boston, then to Philadelphia, after which I shall go south a short  
 “ distance and work round to St. Louis. Then I shall probably go to Chicago.  
 “ From this point my plans are uncertain, as I wish to go to Canada and to  
 “ San Francisco, and I do not know whether I can do both or not. I shall do my  
 “ best to go to San Francisco, and may perhaps visit Canada before going west.  
 “ Mr. Dillon will accompany me throughout, and I hope to be able to induce him  
 “ to remain behind when I leave America to continue the work, but my return  
 “ will depend on events at home.

“ *Correspondent.*—I suppose an early dissolution of Parliament would take  
 “ you back to England?

“ *Mr. Parnell.*—Yes, or if Mr. Davitt should be convicted, or if the Govern-  
 “ ment should attempt to suspend the Habeas Corpus Act, it would be necessary  
 “ for me to go immediately.”

(*Sir C. Russell.*) My Lords, the intimation we received from those who instruct  
 my learned friend was this. This is written, I fancy, yesterday at 5 or 6 o'clock:—  
 “ We beg to inform you that it is proposed to-morrow to call a witness to an interview  
 “ with Mr. Parnell and Mr. Dillon on the way to America in the year 1879; the evidence  
 “ as to the proprietorship of ‘United Ireland;’ general evidence as to outrages; and  
 “ evidence as to outrages in Galway.” I understand this gentleman can give us some  
 useful information, but I am not yet in a position to cross-examine him upon that. I  
 will just put a question or two in order to indicate it.

Cross-examined by SIR CHARLES RUSSELL.

1866. Had you come from America, Mr. Ives, in order to come out with Messrs.  
 Parnell and Dillon?—No; I was the land correspondent of the “Herald” and was sent  
 over to Ireland, not for that purpose, but to attend meetings of the Land League.



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1867. And how long had you been in Ireland attending meetings of the Land League before you sailed in the "Scythia"?—I do not remember the exact date, but it was at the time of Mr. Davitt's trial in Sligo in November, I think. I had only been there about a month.

1868. 1879; so you had only been in Ireland at that time about a month?—About a month.

1869. Were you alone at this time?—Entirely.

1870. You had no colleague, I mean?—No colleague.

1871. Did you write the result of your observations at this time in Ireland, and of your attendance at these meetings to the "New York Herald"?—Yes.

1872. Could you between this and to-morrow give us the dates of your letters?—I do not think there are any letters; they are all cablegrams.

1873. Very well, or cablegrams?—They were simply the reports of the proceedings.

1874. Could you give us the reference to them by looking up the file of the "New York Herald" for 1879?—Certainly.

1875. I am now speaking of those that you sent before you sailed in the "Scythia," during the month that you were in Ireland?—Yes.

1876. Then as I understand, you got instructions from the proprietors of the "Herald" to accompany these gentlemen in the "Scythia" to New York?—Yes.

1877. Practically for the purpose of having these interviews, and giving this account?—Exactly.

1878. Did you remain in America during Mr. Parnell's tour, or were you again sent back to Ireland?—I was there 12 days.

1879. You were there only 12 days?—That is all.

1880. What made you return to Ireland?—I found a cable on my arrival, telling me to return immediately.

1881. Found a cable, where from?—From Mr. Bennett, from Paris, to return to Ireland.

1882. That is to say, when you got to New York, you found a cablegram from Mr. Bennett, who was in Paris, telling you to go back to Ireland?—Yes.

1883. And you did that after some 12 days?—I did.

1884. So you do not know anything about Mr. Parnell's proceedings in America?—Not at all.

1885. When you returned to Ireland had you a colleague with you or not?—I had not.

1886. It is suggested to me that the Rev. Mr. Kepworth was either your colleague or was with you more or less during your visit to Ireland?—About a month or six weeks after my return to Ireland, and the starting of the relief fund by the "New York Herald," Mr. Hepworth was sent there as one of the committee to distribute that fund; he had nothing to do with the correspondence of the "Herald," he was merely sent there as representative of the "Herald" on this relief fund.

1887. My Lords, I do not think quite follow that. The "New York Herald" itself got up a fund which was called the "New York Herald Fund"?—It was called the "New York Herald Relief Fund."

1888. And through its instrumentality something like 30,000*l.* was collected and distributed for relief in Ireland?—It was 59,000*l.* or 69,000*l.* Mr. Bennett gave 20,000*l.* The entire fund was 69,000*l.*, I think.

1889. And they appointed a committee, I think, of five to superintend its distribution?—Yes.

1890. Can you give us the names of the committee?—Mr. William Shaw was chairman.

1891. Was that the Mr. William Shaw who was formerly member for Cork?—M.P. for Cork. I was the honorary secretary. Colonel King-Harman, Archbishop McCabe, Professor Thomas Baldwin.

1892. Did you say the late Archbishop McCabe, Archbishop of Dublin, was one?—Yes.

1893. Returning 12 days after your arrival in New York, and returning there about the 12th January, how long did you remain in Ireland?—I was in Ireland two years altogether, but it covered a period of three years; after arriving from America I left Ireland in August that time, and went back again in the winter.



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1894. I want to follow this, please. You returned to Ireland, sailing on the 12th, somewhere about the 18th or 19th of January, and remained in Ireland from the 19th January 1880, until August of the same year?—Yes.

1895. Then when did you return again?—I think sometime in the winter. I went for a holiday for a couple of months, and then I went back.

1896. Your holiday would be September and October. You went back somewhere about, as nearly as you can tell us, November 1880?—October or November 1880.

1897. And remained in Ireland how long?—I could not say. I was going backwards and forwards 10 or 15 times. I could not remember the dates.

1898. What was the longest period of any at a stretch, so to say, that you were in Ireland continuously?—I think that was the longest stretch.

1899. From January to August?—From January to August, I think; there was another stretch, about six months also.

1900. What year would that second stretch of six months be?—From midsummer 1881 to January 1882.

1901. And have you been in Ireland since?—Only for a day.

1902. Not for any purpose connected with your paper?—Passed through Ireland.

1903. Merely passing through?—Yes.

1904. Did you during these visits go about the country much?—A great deal.

1905. And made acquaintance with Irish jaunting cars, I suppose?—I have made an acquaintance with everything now.

1906. And what were the districts in which you principally travelled?—Galway, Mayo; all the distressed districts, all the west parts.

1907. The distress was I think, was it not, more along the western sea line?—Yes.

1908. And the disturbances were, of course, more there?—Yes.

1909. What was your course as to communicating with your paper. Was it weekly or daily?—Daily, by cable.

1910. You will forgive me asking you this question, but were the cablegrams printed as you sent them, or did they undergo any expansive process?—Not the slightest expansive process.

1911. They were printed exactly as you sent them?—They were.

1912. And you sent a cablegram practically every day when you were within hail of a telegraph office?—I did.

1913. Giving the result of your observations?—Not so much—well, yes, the result of my observations. Not opinions as a general thing, simply the reporting of facts.

1914. Not expressing opinions, but recounting what you witnessed?—Exactly.

1915. How many would you say from first to last, starting from about the 19th of January 1880 to 1882, when practically you ceased your travelling in Ireland—about how many should you have sent do you suppose?—Cables?

1916. Yes?—Hundreds.

1917. I am sorry to put the trouble upon you, but you could, probably, by to-morrow or the next day, give us the dates of these?—It would be rather difficult, I should think.

1918. Not if you had the files of the paper, would it?—Well, it would be, perhaps, a little difficult, because some of the cables were sent by an assistant correspondent that I had in Ireland.

1919. But you can still earmark them, I suppose?—I would not be positive about every one.

1920. But I mean substantially you could tell us?—Substantially, yes.

(*Sir C. Russell.*) My Lord, that is all I can do to-day. I think it very important to get these results of this gentleman's observation.

#### Re-examined by the Attorney-General.

1912. As I understand you sent cables on what you both saw and heard in Ireland?—Yes.

1922. You were a newspaper correspondent?—I was.

1923. If you either saw anything or heard anything which you thought would interest the readers you sent it over?—Exactly.



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1924. Collecting your information as newspaper correspondents do from people you met?—Yes, I was on the spot as a general thing. I went all over the country.

1925. (*Sir C. Russell.*) I have a question I did intend to ask. So far as your paper was concerned it was not a supporter of Mr. Parnell; it was rather hostile to him?—It was.

1926. And has been so?—Editorially, yes.

1927. I am speaking of that. I am not saying you were personally, but the policy of the paper was opposed to Mr. Parnell?—The policy of the paper was opposed to Mr. Parnell.

(*The Attorney-General.*) My Lord, I put in the office copy of the certificate of registration of "United Ireland." I think the better thing would be that the transcript should be verified. It will be noticed I omitted all headings which were not the actual language. The transcript could be verified.

(*Sir C. Russell.*) I do not object to the headings in the least.

(*The Attorney-General.*) I did not, as a fact, read them.

(*The President.*) I daresay it may be more convenient to take it as it is.

(*The Attorney-General.*) By all means. Then it will begin, my Lord, with the conversation with Mr. Parnell. On the 29th July 1881, certificate of registration of "United Ireland." The name of the company is the Irish National Newspaper and Publishing Company, Limited. The registered offices of the company are situated in Ireland. The objects for which the company is established are, the purchase of the "Shamrock," "Flag of Ireland," and "Irishman" newspapers, and all rights connected therewith. I need not read the persons. Then the signatories are, Patrick Egan, 11, Victoria Terrace, Clontarf, 237 shares; Charles S. Parnell, of Avondale, Rathdrum, M.P., 237 shares; Joseph E. Kenny, surgeon, 71, Lower Gardener Street, Dublin, 10 shares; J. G. Biggar, Belfast, M.P., 10 shares; William O'Brien, Harrington Street, Dublin, journalist, 2 shares; Justin McCarthy, Westminster Palace Hotel, London, Member of Parliament, 2 shares; Richard Lalor, Finakillen, Queen's County, Member of Parliament, 2 shares; making 500 shares. I need not trouble, my Lord, with the regulations or articles of association. It will not be necessary to refer to that. Then I do not happen to have the certificates of all the years here. I have the certificate of the earlier years, but for the moment it has been mislaid. I will put them in. I happened to have the certified copy of the certificate of the 29th May 1885. This was the 1881 certificate. I do not happen to have under my hand at the present moment the other copies.

(*Sir C. Russell.*) Is there any need to tell you? There is no objection to this.

(*The Attorney-General.*) I will make my statement first; no doubt it will be supplemented. The alteration in 1885 is the return is made by Mr. William O'Brien. the return is to be signed by the director, manager, secretary, or other authorised officer of the company. The return is made by Mr. William O'Brien, and the shares are then held—I need not read the numbers of the shares again—by Patrick Egan, Charles S. Parnell, Joseph Edward Kenny, J. G. Biggar, Justin McCarthy, Richard Lalor, and Timothy Harrington. My Lord, I shall put in the file of "United Ireland." I ought to have mentioned this fact. The directors of this company are the subscribers to the memorandum of association, that is, are the same names as I read just now. My Lord, I shall put in the file of "United Ireland," but, of course I do not at the present time attempt to call your Lordship's attention to certain paragraphs. They will be proved from time to time in connexion with various outrages of which evidence has been given.

JOHN RAFFERTY sworn, examined by Mr. MURPHY.

(*Mr. Murphy.*) I may say, my Lord, with every anxiety to keep the outrages in order of date, we find it impossible in many cases to get all the witnesses for every particular outrage in the order in which we should like to give them.

1928. Do you live at Cloonmoylan?—Yes.

1929. In the county of Galway?—Yes.

1930. In the latter end of 1879 did you take some 9 or 10 acres of land?—I did.

1931. Was that land formerly in the occupation of a man named Lynch?—I do not know. Before I had it it was in the possession of a man named Brown.



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[Continued.]

1932. Had somebody been evicted from it before you took it?—No; but the man who held it made a special agreement with the landlord and compensated him for the holding and got out of it.

1933. Then he arranged with his landlord and gave up the land?—Yes, and he gave it back to me.

1934. Then you took it from him?—Yes.

(*Sir C. Russell.*) He does not know anything about that?

(*Mr. Murphy.*) It seems he does.

(*Sir C. Russell.*) But he does not.

1935. (*Mr. Murphy.*) Do you remember the night of the 27th May or thereabouts, 1880?—Yes.

1936. What was it that happened to you that night?—Well, about 15 or 20 men came about the house, and five or six of them came in with blackened faces.

(*Sir C. Russell.*) I would ask what is the purpose of this evidence and how is this evidence justifiable? What is the connexion that is foreshadowed by the speech of the Attorney-General between this and any action of those who are here charged.

(*The Attorney-General.*) My Lord, your Lordship will find that in connexion with this outrage it will be proved to be directly connected with a speech which will be put in.

(*Sir C. Russell.*) Whose speech?

(*The Attorney-General.*) A speech which will be put in.

(*Sir C. Russell.*) Whose speech?

(*The Attorney-General.*) I do not exactly remember; but I remember perfectly well the incident; but in addition to that your Lordship will find from the course of the evidence which will be given with regard to these outrages, that they will (I do not wish to anticipate anything, I have no right to say) be found to be connected with the local branch of the Land League, with the persons who were the officers, if that is the right expression, the leading members of the Land League in the district and in many cases —

(*Sir C. Russell.*) I am talking of this case.

(*The Attorney-General.*) I have said in this particular case your Lordship will find there will be a speech directly referring to that.

(*Sir C. Russell.*) That, my Lord, I agree is an answer.

(*The Attorney-General.*) In many cases notices actually from the local Land League in connexion with the outrage—

(*Sir C. Russell.*) I am not talking generally, but in connexion with this particular case, and I agree my friend has given on the statement he has made sufficient ground for the evidence. I wish to guard myself against this position (I have already made it clear) that we shall object to any evidence, which is merely evidence of outrage, unless there is some plausible suggestion made in fact as to any connexion either with a previous meeting at which any of the incriminated parties spoke or unless it is alleged in relation to the particular outrage that there has been some incriminating action.

(*The Attorney-General.*) I think I ought to make an observation then upon the general question.

(*The President.*) I suppose at some time or other there will be a general discussion upon that, because of course it will be necessary to lay down some lines on the point. You may either do so now or whenever the occasion arises.

(*The Attorney-General.*) Whenever convenient to your Lordship; but of course it is manifestly (my friend will agree) inconvenient that we should have a discussion before each witness upon each particular point.

(*Sir C. Russell.*) I do. I quite agree.

(*The Attorney-General.*) I will not again remind your Lordship that this is a Commission of Inquiry, but I will indicate before your Lordship what I propose to prove.

(*Sir C. Russell.*) Will you allow the witness to leave the Court?

(*The Attorney-General.*) By all means. Will you go out for a moment, Mr. Rafferty.

(The witness withdrew.)



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[Continued.]

(*The Attorney-General.*) Now, my Lord, I shall give your Lordship evidence—I do not want, of course, to repeat any argument at all—that the speakers, the direct representatives of the League from Dublin, laid down a law over and over again at the meetings that persons who took land, either from which a tenant had been evicted or from a landlord whose land the local League did not wish to be taken, should be first boycotted and then, if necessary, made to obey the orders of the League; and I shall give evidence to show that in several instances persons who so offended were summoned before the local League either submitted, or if they did not submit were subsequently punished; and with regard to the first branch of the evidence as to connexion, I shall show your Lordship, or give evidence to show in the course of my case that this enunciation of the law of the League was repeated hundreds and hundreds of times by the speakers; and it was that class of evidence that we were proceeding to give in the ordinary order of events when the arrangement was come to between Sir H. James and Sir Charles Russell that as far as possible all the speeches should be printed, handed to the other side, and the passage we intended to refer to marked, and the passages they wished to comment upon also used. I shall show your Lordship in the course of my evidence that the reports of what was done at the local branches of the meetings were sent week by week to the columns of “United Ireland,” and were printed in the paper (I do not say in all instances, but in a great many instances) of which Mr. William O’Brien was the editor, Mr. Parnell, one of the leading proprietors, and the other gentlemen whose names I have mentioned proprietors; and I think there will be no doubt, if it were necessary for me to argue that point, that I could show your Lordship Mr. Parnell would be liable, both civilly and criminally, for the statements made in “United Ireland.” In addition, we shall lay evidence before your Lordship to show that in part of the speeches which have been delivered persons who paid their rent were threatened by the local League, or persons who should pay their rent were threatened by the local League; and in addition to their being so threatened, when they did not obey by declining to pay their rent, they were first boycotted, and then subsequently subjected to outrage. In addition we shall bring before your Lordship evidence to show that persons who paid behind the back of the general wish of the tenants were similarly treated.

Now, my Lord, it will be utterly impossible in every case (though we shall be able to do it in a great many) to show the direct connexion between what I may call the local branch of the League and the outrage; but we shall ask your Lordship to receive the evidence on the ground that this was the repeated and over and over again enunciated edict of the League, and that what was done was done in obedience to the wishes of the League speakers, the wishes of the League leaders; and further than that, my Lord, that so far as evidence will show, speaking of the day by day occurrences, these transactions were many of them reported and referred to as facts in the columns of “United Ireland.” My Lord, on the general question I will ask my learned friend, Mr. Murphy, to point out anything further if it be necessary; but upon the general question I need scarcely remind your Lordship that, fully recognising, so far as we are concerned, the responsibility of giving your Lordship all the evidence we can in support of the charges we have made, it is impossible for us with each witness to say, Do you know of the connexion in this particular instance with the Land League? Many will. It is impossible to say it to each witness, because the whole act will not be proved by the evidence of one witness, but by the evidence sometimes of several. I hope I have sufficiently indicated to your Lordship what I propose to do with reference to the proof of outrages and their connexion with the League,

(*Mr. Murphy.*) Just one word in addition to what my friend the Attorney-General has said as to the general view as to the admissibility of this class of evidence. It will be impossible for your Lordship to come to any conclusion as to whether a particular outrage was the reasonable outcome of the doctrines that were preached at the different Land League meetings without knowing what the outrage was, what was said by the persons who committed the outrage at the time that throw light upon it, and if for no other reason than for that, I submit to your Lordship that quite irrespective of the question of speeches, we must on the issue before your Lordship, give evidence of these outrages, leaving it to your Lordship in particular cases to say whether the evidence is sufficiently strong to connect it with the Land League. Your Lordship will also remember my friend the Attorney-General has indicated also that



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one class of evidence he will adduce is that outrages of this class were unknown until the Land League branches were established. As soon as the Land League branches were established, first there came the denunciation, then the boycotting in many cases, and then the outrage.

(*Sir C. Russell.*) My Lords, I agree with the Attorney-General, that this is a commission of inquiry, but it is not a commission of inquiry into the whole agrarian question in Ireland, nor into organisations existing in relation to that agrarian question in Ireland, except in so far as the matters relate to and go to substantiate charges and allegations made against certain persons. In other words, it is an inquiry not into the conduct or action of an organisation in a great agrarian movement, but it is into charges and allegations against persons, against individuals. Then if that be the true view of what is the Commission which your Lordships are administering, then I say it is incumbent upon those who seek to justify evidence of outrages to show that there is some ground *primâ facie* or plausibly for suggesting that there was any responsibility by advice, by participation, or by being accessory, either before or after the fact, in the particular outrages which it is sought to prove. And I will point out that if the line which my learned friend suggests is to be taken, I think I am right in saying that it would lead to this, that there is no outrage which has occurred in Ireland, in a period of great distress, and I admit, of great agitation—that there is no crime in Ireland, from the year 1879 down to the present time, that my learned friend might not, upon the broad grounds which he suggested, seek to give evidence of. Now, my Lord, I want to know if your Lordships think that is the scheme and scope of this Commission of Inquiry. It is a Commission to inquire into charges and allegations made against certain Members of Parliament and other persons. I admit, my Lord—I said at once in relation to this case—that if my friend suggests, as he has done, that he can establish a *primâ facie* connexion or suggested connexion between this particular outrage and some antecedent meeting, I do not object to his proceeding to give the evidence in this particular case; but then, as I understand, that this is now a general discussion, and your Lordships are asked to lay down some general rule which your Lordships will state to avoid the repetition of these discussions when witnesses are tendered, while, I admit, your Lordships are bound to receive evidence as to any outrages which throw light upon the charges and allegations made against certain Members of Parliament, I respectfully urge upon your Lordships it will be necessary to lay down some rule of guidance, else your Lordships will have or may have an inquiry into every crime which may be said to have an agrarian connexion or character which has occurred in Ireland over the whole period of time to which I have referred. That, I submit, is not the function which your Lordships are called upon to discharge under this Act of Parliament.

(*Mr. R. T. Reid.*) My Lord, I would desire to add this, following from the proposition which Sir Charles Russell laid down that this is an inquiry into charges against individuals. It is sought by the Attorney-General to say that these individuals are chargeable with all the acts which can be traced to the Land League, upon the assumption or upon the statement that the Land League itself was an association of an illegal and of a murderous character. If there is an association of a murderous character, no doubt every one will be responsible for what was done by each member of a murderous association, when he joined with that common object. But supposing it to turn out, and your Lordships have not had proof to the contrary yet, that the Land League was not an association of that description at all, supposing that should turn out, the whole case of my learned friend the Attorney-General, in putting forward evidence of this character, would fall to the ground. The proof of the nature of the Land League organisation, its common criminal object, is essential in order to make each individual member of it liable for any crimes that may have been perpetrated by other individual members of this association. And I submit that at least as a preliminary, before having a parade in this Court of terrible crimes which no doubt have taken place in Ireland, as they have taken place in other countries also, before that kind of thing is permitted, that the Attorney-General should be put to prove this, that these individuals who are charged are responsible by complicity with a murderous organisation, and he should begin by proving that the organisation was in fact a murderous organisation.

(*Mr. Lockwood.*) My Lord, if I might just add to what my learned friends have said, I do not think this should be lost sight of. My learned friend, Mr. Reid, and I represent



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the Members of Parliament who are included in the lists that are before us. We represent them, not collectively, but as individuals. We recognise the truth of that which the Attorney-General says, namely, that he has taken upon himself the burden of bringing home to Mr. Parnell criminal responsibility. My Lord, he has undertaken that responsibility in regard to every one of the individual members who is mentioned in the Particulars by the "Times." And I put it shortly, my Lord, it seems to me what we object to is this. We object to my learned friend proving a succession of outrages, and then taking his chance afterwards of connecting them with any of these individuals.

(*Sir C. Russell.*) My Lord, I ought to have added this one word. With reference to the question of liability for concerted action, the first step ought to be in an inquiry, as I submit, of this kind, to show what was the society and what were the constitution and objects of the society in relation to which it is suggested that there was concerted action. And I say that your Lordship should require the Attorney-General at this stage to give evidence of what was this Land League and its constitution.

(*The Attorney-General.*) My Lord, I should like to be allowed to make but a few brief observations in reply to the points which have been taken, and I would just point out that if my learned friend's contention were right, your Lordships, sitting as a Commission of Inquiry, would be deprived of the first duty which would have to be performed, and which has been performed for many years, by all judicial tribunals which have to deal with questions of fact and law, of drawing inferences from facts. Now, supposing I establish in the course of my case these facts:—That outrages upon men who had paid their rent, or who had taken evicted farms, occurred in the places where Land League meetings took place, where there were organisations of the Land League, and that they did not occur in places where there were no Land League, or none of those meetings and inflammatory speeches, I should ask your Lordships at the end of the case—if I prove that in a large number of instances—to draw your own conclusions, to draw your own inferences, as to the cause of the outrage, and the connexion of the outrages with the speeches and Land League meetings. Supposing I show you that in the parts of the counties where the Land League organisation was perfect, these outrages took place in large numbers, that in the parts of the counties in which the Land League organisations did not exist these outrages did not take place, again I shall ask you, at the conclusion of this case, to draw your own inference with regard to the cause of the outrage itself. And in fact, my Lords, the nature of the crime itself will be one of the indications as to its cause. As for instance, take one case. I have stated, I think, half a dozen times, that I shall bring evidence before you to show that prior to these meetings, prior to the Land League, the crime of punishing a man for payment of his rent, was unknown. If, my Lords, that is proved to have followed a Land League meeting and these inflammatory speeches, why, I ask, is this Commission not to draw its own inference? But, my Lords, let us take the next step. You are first to prove what were the stated objects of the Land League. My Lords, again I ask, have your Lordships to draw an inference of what was the object of the Land League, from what it is stated it was going to do; or from what it did? My learned friend, to give colour to his observation, has stated that my language was that the Land League was an association of a murderous character. As far as I know I have never used those words, or used words to which that observation could apply, or as to which that could be a paraphrase or could be fairly attributed. All I have said is that the Land League was an association of an illegal character. That it intended to enforce its own decrees by illegal means, that it did in fact enforce its own decrees by illegal means; that the knowledge that it was so doing was brought home to many of the gentlemen collectively represented by my learned friends; that after the knowledge was brought home to them, they continued to be members of, and to support an organisation whose members had been guilty of such conduct; and that such conduct was repeated and allowed to be repeated. Now let us take one other matter to which I respectfully draw your Lordship's attention. My learned friend has said, the first thing to be proved is the object of the society. My Lords, supposing the Land League and Mr. Parnell, and the other of the Land Leaguers, never published any object of the society. Or, suppose they said, our only object is constitutional agitation; but suppose you found that paid agents of the Land League went down to and advocated the denunciation of land grabbers—the making out the land grabber to be a leper—could it be well said in this Court for one moment, that you as a court of



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justice, are not to draw an inference from the speeches made by the paid agents, with the knowledge of the principles, and the acts following those speeches when they were so made. My Lords, we are fully alive to the fact, that so far as any obligation rests upon us an obligation rests upon us of showing that the crimes followed the speeches—were the consequences of the speeches, followed the Land League meetings, and were the consequences of the Land League meetings; that the existence of these outrages were known to many of those whose names are included in the Particulars, and that they were parties to that conspiracy. We are fully alive to the charge, and “the necessity of proving that charge so far as any obligation of proof rests upon us.” But I humbly submit that your Lordships cannot possibly put upon us the obligation of proving first, that they have connived, when our whole case is, that it was a long series of events that followed. That not only proved them, but prove the connexion they had directly with this organisation. My Lords, I think I have touched upon each one of these points, which my learned friends have raised, and I ask your Lordships to rule, that you cannot disconnect these outrages, from which the inference of the past must be drawn.

(*Mr Reid.*) My Lords, I merely say this. We do not say for a moment that the ostensible object of the Land League alone ought to be investigated; but before this evidence is admitted, the real nature and objects of the Land League should be proved.

(*The Attorney-General.*) That can only be got at from your clients, or from the acts done.

(*The President.*) We are of opinion that this evidence is admissible, and I am glad we have had the general discussion, because it is desirable that some principles should be laid down which shall guide us throughout the rest of the inquiry. No doubt this is an inquiry into the charges against certain persons. That I have myself pointed out at an early stage. But when we come to examine it, it turns out that the charge against the persons is, that they were engaged in an organisation which it was alleged was illegal in its object, and was to be carried out by illegal means. That is the charge which has to be proved. But from the character of that charge, it is impossible to lay down any exact order in which evidence is to be laid before us. It is admitted the avowed objects of an organisation are not to be taken as conclusive as to what its objects are. Its real objects may be wholly different from its avowed objects. And what its objects are has to be ascertained from a general examination of the facts, including the things said by the different persons alleged to be engaged in the organisation—including the acts which follow the speeches made by the members of the alleged organisation. It is necessary, therefore, that the particular outrages as to which evidence is to be given, should ultimately be established to our satisfaction to be connected with the language or the acts of the particular persons incriminated. But it has long been the practice in criminal cases, where conspiracy is charged, to give the facts from which the combination is sought to be inferred as evidence; and it is not required that there should be any definite proof of the combination before the evidence from which it is sought to infer, or from which the Court is asked to draw the inference from the facts is given. It is to be observed, further, that though the facts of outrages following speeches made would, in the ordinary course, be the most obvious mode of suggesting connexion between the two events, it is not to be forgotten that in cases of conspiracy, it has been over and over again laid down, that the state of the district in which speeches are made is evidence for the purpose of judging what the intent of those speeches was, and what the probable consequences might be. It cannot be laid down, therefore, as an inflexible rule that speeches should be shown to have been made of an exciting character before the outrages; because it attaches the character to the speeches, that they are made in districts where outrages have prevailed. At the same time it is expected by the Court that only the evidence of those outrages will be given which it is proposed to show, by reasonable evidence, are connected with the speeches, and the acts of the members of those associations which have been referred to—one succeeding the other. It is, I say, expected by the Court, that only evidence of such outrages will be gone into. But upon that, as upon so many other points in this long inquiry, it is absolutely necessary we should rely upon the discretion of counsel; and if we are assured by the Attorney-General, and those engaged with him, that they propose to show, what from their point of view should lead the Court to draw an inference from the connexion between outrages, and the conduct or acts of the persons now charged, we must rely upon the statement. It will always remain for Sir Charles Russell, and those engaged with him, to show by argument that it is not a legitimate



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inference we are asked to draw, and that there was no real connexion between the acts of those persons and the outrages which were committed.

Mr. JOHN RAFFERTY recalled and further examined by Mr. MURPHY.

1937. What was it occurred on this night, if it was the 27th May 1880. What happened to you?—Something about 15 or 20 men gathered about the house, and five or six came in with blackened faces, and some of them pulled me out of bed, and had some sort of wooden card and some nails drove, and gave me a few scratches in the back, and a few kicks, and brought me out in the kitchen, and then took me back into the room, and pulled out my wife and pulled her about, and swore me to give up that land.

1938. Whose land or what land did they speak about?—They spoke of the land that I had taken from Mr. Tannen.

1939. (*The President.*) What is the name of the place?—I know it is in county Galway.

(*Mr. Murphy.*) Cloonmoylan. It is near Tuam.

1940. Were you on bad terms with your neighbours, or had you given any cause for this outrage that you know of?—Well, no, sir. There was no cause, I understand. But after the landlord settling with this former tenant that was before me in the half holding, there was the other half sold in grazing to another tenant, and of course, when the tenant and the landlord agreed to give the tenant compensation to get out of the holding and turn out of the grazing, then he took the land, and that was the ill feeling that was for me.

1941. Did you have protection from the police for some time?—Well, for some time, 15 months, I think, or so. There was a hut erected near my place.

1942. How long did that continue?—Something, I think, about 18 months they were there.

1943. How came it to be removed afterwards, was the police protection taken off?—Oh, yes.

1944. Why was that?—When I see that they did not interfere with me any more during the 18 months I said I did not require any protection, and I got firearms in the house.

1945. Do you know whether there was a Land League branch in that neighbourhood or not?—Well, I do not think, at the same time that this happened that there was much about Land League meetings in the parish at that time.

1946. You do not think so?—I do not think there was.

1947. Was there a Land League there to your knowledge?—At that time?

1948. Yes?—There was the meeting in Killikerrin. I do not know what the meeting was for. I did not attend it in any way.

1949. Were you ever a Land Leaguer or not?—Never.

1950. Were any of your neighbours Land Leaguers?—That I could not tell, because I did not interfere in any Land League in any way. I could not say whether they were or not.

1951. I am not going to ask you who they were; were there some of your neighbours Land Leaguers?

(*Sir C. Russell.*) Does he know?

(*Witness.*) I do not know whether they were or not.

1952. (*Mr. Murphy.*) He hears what you say, and answers he does not know whether they were or not. Have you ever heard your neighbours speak about Land Leaguers in that part?—I have heard them speak about Land Leagues, certainly.

1953. Have you ever heard them say they were going to the Land League?—No; but I used to hear them talking about the Land League, certainly.

Cross-examined by Sir C. RUSSELL.

1954. Whose tenant were you?—I was at that time Mr. Tannen's tenant, at the time I took this land. I lived under Mr. Tannen.

1955. How many acres had you under Mr. Tannen?—Something about eight acres.



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1956. What was the name of the grazier that was turned off?—Larner was the name of the grazier.

1957. He was turned out of half of the holding?—Yes.

1958. And then you took it?—Yes.

1959. Where is the land you rent from Tannen?—I am living there all the time.

1960. Is that in Cloonmoylan?—Yes, and this happened in Cloonkillee.

1961. Whereabouts was the grazier's land?—In Cloonkillee.

1962. How far is that from where you live?—Something about a mile.

1963. Where did the grazier live?—He lived very near to the place in Cloonmoylan.

1964. Was he a farmer?—Well, yes, but he did not hold much land.

1965. How long was he in possession of that?—He was only for one year in possession of it.

1966. Did anybody do anything to him?—No.

1967. Then he was put out and you took it?—Yes.

1968. How many acres did it consist of?—Something about ten acres or so.

1969. What rent were you to pay for that?—I agreed to pay 13*l.* for it, but I came in under the Land Act of 1881.

1970. You had agreed to pay 13*l.* for it?—Yes.

1971. And I suppose you struggled to pay it, you tried to pay it?—Well, I did not pay much of it till I got a reduction.

1972. What reduction did you get in the Land Court?—Something about 30*s.* in the whole, I think.

1973. That would be reducing your rent from 13*l.* to 11*l.* 10*s.*, about that?—Just so.

1974. You say that Larner, the grazier, had been in possession for about a year?—Yes, only something about a year in the possession of the land.

1975. Is Larner a friend of yours?—No.

1976. He was very angry, I suppose, at your taking the land over his head?—I believe he was some ways angry.

1977. Has Larner a family?—Oh, yes.

1978. Most Irish peasant farmers have, I think?—They have. There was a family of them.

1979. Now tell us, there are some wild boys about there, are there not?—Well, not so bad as I hear in other places.

1980. Have you any reason to suppose that anybody connected with the Land League had anything to do with this outrage upon you; if so, tell my Lord?—Well, I do not think—I could not say—that they had anything to do with it, because there was not much talk of the Land League at the same time.

1981. What was the nearest point, do you think, at which there was any Land League at all. Was there any Land League—any local branch, I mean, within miles of you at this time that you have given as the date—in the month of May 1880?—I do not believe that there was any Land League established within many miles.

1982. Within a length of miles of your place?—Yes.

1983. What do you mean by a length of miles?—Within many miles, I say.

1984. The Irish mile is rather longer than the English mile?—Perhaps so. I believe so.

1985. And the length of miles—it was a length of miles before you came to a Land League branch?—By gad, I never came to a Land League branch.

1986. How far are you from Tuam?—Somewhere about four or five miles.

1987. Was there ever a Land League branch in Tuam at that time?—I do not know whether there was or not.

1988. Now, Rafferty, speaking to the best of your knowledge, I must ask you plainly, do you think the Land League had anything to do with this outrage upon you?—Well, I do not think it had at the same time.

1989. There is another thing I should like to know, the outrage was very bad indeed, but what was the card that they used?—It was a wooden piece of a comb with a few nails driven in it.

1990. I hope they did not do you very much harm?—They could do worse if they had liked it.

1991. But they did not do you very much harm?—Well, not so much.



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1992. I mean, were you able to go about your work?—Oh, yes; I was able to go out a bit.

1993. I am asking you, were you able to go about your work the next day?—Well, no; not for a fortnight or a month.

1994. For a fortnight or a month you were suffering?—I was, sir.

1995. I am sorry to hear of the rudeness to your wife, but she was not injured?—Oh, no; she was only tossed about.

1996. You have lived, I suppose, in this place, Cloonmloyan, nearly all your life?—I did, sir.

1997. And perhaps your father before you?—Yes.

1998. Is Mr. Tannen a large landowner or a small one?—Who, sir?

1999. The landlord, Tannen?—He holds a very great deal of land, sir, but at the same time Mr. Tannen is dead now. Mr. Loone is the only landlord now.

2000. But you held under Mr. Tannen when he was alive?—Yes, at the time.

2001. Are the farms, generally speaking, about your place small farms?—Oh, yes, sir.

2002. Your 8 acre farm with the 10 acres that you got from Larner the grazier, was that bigger than most of your neighbours?—Well, the most of the tenants are equal in land.

2003. Do you mean 8 acres or 18?—Some 8 acres, some 6, and some 7, and some 10 and so on.

2004. Are you old enough to recollect the great famine in 1847?—I am, sir.

2005. Did you suffer in it yourself?—Well, yes.

2005a. Do you recollect 1879?—Yes.

2005b. What was the condition of the people about there at that time?—In 1879; well they were in a middling fair way; the times were pretty fair in 1879.

2005c. Do you recollect the harvest of 1879?—Well, I do not recollect the harvest of 1879.

2005d. I am talking of the year before this unpleasant occurrence happened to you?—I know, sir.

2005e. Was there not a very large failure of crops?—Well, I do not remember now how the crops were at the same time.

2005f. Do you not recollect there were a great many people in your own neighbourhood living on relief money?—There were certainly, sir.

2006. Was there much distress amongst them?—Well, some.

## Re-examined by MR. MURPHY.

2007. I did not ask you about this carding; it seems to have been treated almost as a joke. What was done to you with this carding machine?—I got scraped in the back.

(*Sir C. Russell.*) My Lord, I must enter my protest against this observation of my learned friend, that I treated this as a joke. I did nothing of the kind.

(*Mr. Murphy.*) I thought the question put was, "It did not hurt you very much and you were able to get to work the next day."

(*Sir C. Russell.*) The question I asked was, "Did it hurt you, and were you able to go to your work." I must protest against these statements being made.

(*Mr. Murphy.*) After that discussion will you answer my question.

2008. What was done with the machine; were there nails in it?—Yes.

2009. What was done with the nails?—It began to scrape me in the back, sir.

2010. That laid you up for a fortnight?—Well, it did. I could walk about, and for a month I was not able to work. I could walk about certainly.

2011. Tuam is about four miles you say from you?—Yes.

2012. Is there a branch of the League there now?—In our place?

2013. Yes, at Tuam?—I do not believe there is.

2014. Where is the nearest to you now that you know of?—Unless it is in Tuam.

2015. Do you believe that there is a branch in Tuam at present, or that there is not?—I heard there was, that is all I know.



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DOMINICK BARRY.

[Continued.]

DOMINICK BARRY sworn, examined by Mr. ATKINSON.

2016. Are you an inspector of the Royal Irish Constabulary?—Yes.

2017. Were you stationed at Loughrea in the year 1881?—Yes.

2018. Do you know a farm that was occupied by a man named Birmingham on Lord Dunsandle's estate?—I do.

2019. Were you present on his farm when he was evicted by the sheriff?—Yes.

2020. (*Sir C. Russell.*) Can you give me the reference in the Attorney-General's speech to this?(*Mr. Atkinson.*) It is the case of Dempsey's murder.

2021. Was possession of the farm taken over by the agent of the landlord?—Yes, Mr. Daly.

2022. And was another tenant put into possession?—Yes.

2023. What was his name?—Murty Hynes.

2024. After Hynes got it, was a meeting held in Loughrea?—A meeting was held on the land, on the actual farm in question.

2025. Then in the possession of Hynes?—Yes.

2026. Who were the speakers there?—Mr. Harris was one.

2027. (*Sir C. Russell.*) Were you present there?—I was.2028. (*Mr. Atkinson.*) Mr. Matt. Harris?—Yes, he was the principal speaker.

2029. Was there a large concourse of people there?—A large number, some 4,000, or 5,000 people.

2030. Did you observe whether there were any banners or any devices?—Yes, banners—flags of every description.

2031. What were on the banners?—I have no distinct recollection.

2032. Was anything done by the crowd to the fences on the farm?—Yes, the boundary wall was thrown down, I think, about 145 yards.

2033. Did the tenant, Murty Hynes, come forward on that occasion, and make any statement?—Yes, after some speeches had been delivered he came forward on the platform, and stated that he would surrender the farm.

2034. What was the demeanour of the crowd when Hynes made that statement?—Very demonstrative; they cheered him.

2035. Was anything said at that meeting in your hearing to your recollection about the Land League?—It was a Land League meeting—I had no distinct recollection what was said. I could not quote a single word of what was said on that occasion.

2036. Did the meeting then disperse?—Yes, after some hours.

2037. And did Hynes leave the place?—He did.

2038. Ceased to live there?—Yes, he never lived on the farm; he had a separate holding some miles distant.

2039. He gave up possession of the farm?—Yes.

2040. Afterwards did a man named Peter Dempsey go into possession?—Yes.

2041. How long was it vacant from the time that Hynes gave it up until Dempsey was put into possession?—For three or four months.

2042. After Dempsey was put into possession, was he put under police protection?—Not quite, not under personal protection, but his movements were closely watched by the police. I endeavoured to impress upon him frequently the necessity of extra personal police protection, but he declined, observing that he was amongst his friends, and he did not apprehend any injury.

2043. What was the police protection patrolling near his house?—I know that was kept up constantly; whenever he left home he was followed by police and met on his return.

2044. Did you see him yourself endeavour to obtain goods and provisions in the village?—I cannot speak as to that with any accuracy, I believe he was to a certain extent—

2045. Did you afterwards see him dead?—I did.

2046. When did you see him dead?—On Sunday, the 29th of May.

2047. Where?—Behind Holly Park House, the residence of the late Mr. Peter Blake.

2048. Was it in the middle of the day?—About half-past 11 o'clock in the morning; he was on the way to Mass.



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DOMINICK BARRY.

[Continued.]

2049. On the road or in the fields?—At Holly Park back gates.

2050. On the public road?—Not immediately on the public road; there was a passage through the fields to the chapel where he was going, and he had his two children with him.

2051. Were they young children?—From six to eight, as near as I can remember.

2052. Were you able to make anybody amenable for that?—Some arrests were made at the time, but from want of evidence the implicated parties were discharged.

2053. Did that occur on Sunday?—On Sunday.

Cross-examined by Sir C. RUSSELL.

2054. Just give me these dates; when was it Birmingham was evicted?—On the 23rd August.

2055. What year?—1880.

2056. Who was the landlord?—Lord Dunsandle.

2057. Will you give me the exact name of the place?—Ballyheffena.

2058. How far is that from Loughrea?—About six miles, six statute miles.

2059. When was possession taken by Daly, the agent?—On the 23rd August, the date of the eviction.

2060. And when did Murty Hynes go into it?—I think in a week or two afterwards, at the close of August or the beginning of September.

2061. In the same year?—Yes.

2062. When was the meeting held that you refer to?—The 18th September, I think.

2063. Where was it held?—On the evicted farm at Ballyheffena, otherwise Riverville. It is known as the Riverville meeting.

2064. Are Riverville and Ballyheffena one and the same place?—It is better known by the name of Riverville, but the actual name of the town on which this farm was situated is Ballyheffena.

2065. I only want to identify the meeting; it is the Riverville meeting?—Yes.

2066. And on that occasion Murty Hynes came forward and gave it up, you say?—Yes.

2067. Had Murty Hynes a farm of his own?—Yes, he lived with his father; his father had a farm within a mile or two of the place.

2068. Was he a married man?—No, Murty was not. The farm was purchased by the father for Murty.

2069. You mean purchased from the landlord?—Yes; Mr. Daly was the agent.

2070. What did Murty pay for it?—I have no recollection; I know what Birmingham paid for it, I happened to take a memorandum.

2071. The man who was evicted, you mean?—Yes, the original tenant.

2072. Will you, if you can, put your finger upon it; it may be material?—The only memorandum I have is this: the farm consisted of 18 acres, and at the time of his eviction  $1\frac{1}{2}$  years' rent was due, and that entire rent was 30*l.* 19*s.* 9*d.*; that is the memorandum I took on the occasion of the eviction.

2073. You have not got the memorandum you have told us you had as to what Birmingham paid for it?—That is what Birmingham paid for it, Sir. I have no memorandum nor any knowledge of what Hynes paid for it afterwards.

2374. 30*l.* including costs apparently, about that?—Yes.

2075. 18 acres?—18 statute acres.

2076. Dempsey, the poor man who was afterwards shot, when did he get possession?—I think it was some two or three months previous to his murder.

2077. That was the 29th May?—29th May.

2078. What year?—1881; sometime about the February or March previous.

2079. He got possession in February or March of 1881?—I think so, as near as I can fix.

2080. The meeting that you have referred to, you have told us was on the 19th?—Yes, the previous September.

2081. The 19th of the previous September?—The 18th.

2082. 1880, is that right?—1880.

2083. And was there any meeting between that date and this sad occurrence, with Dempsey, at Riverville, I am talking of, or Ballyheffena?—Yes, several meetings.



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DOMINICK BARRY.

[Continued.]

2084. At Riverville or Ballyheffena?—No, in the district; not in this particular place.

2085. Be good enough to attend to my question. I am asking you was there either at Riverville or Ballyheffena any meeting held from the date of the 19th September 1880 up till the murder of Dempsey in 1881?—Not in that particular place, no.

2086. It is quite right you should tell us where; was there any meeting held, tell us the nearest that was held?—The nearest was Kiltulla.

2087. What date?—On the 4th December 1880.

2088. How far is Kiltulla from Ballyheffena?—I think about a mile and a half, it may be more or less.

2089. What was the next?—Within 6 or 8 miles there was a meeting at Killeenadeema, about 8 miles, on the 26th September 1880.

2090. You have gone back in your dates, the last was December?—I am extending.

2091. The area?—Yes.

2092. Give me the name of this last place?—Killeenadeema.

2093. About 6 or 8 miles, you say?—About 8 miles.

2094. You have said that the principal speaker was Mr. Mathew Harris at the meeting of the 19th September 1880?—Yes.

2095. I should like you just to tell us what was your recollection of what Mr. Harris said?—I have not the remotest recollection of what he said, I could not quote a word.

2096. Do you recollect whether the purport of it was this, that if he held on by the land which was grabbed, I use the word “grabbed,” “that he would find the public “feeling against him and against every member of his family or board;” was that the purport of it?—I know it was to denounce —

2097. Well, you answer my question. Was that the purport of it?—I cannot say accurately.

2098. Well, we have the speech. What countryman are you?—I am a Galway man.

2099. What part of Galway?—Tuam.

2100. Is there a very strong feeling in the country against what are called “land grabbers,” that is to say, a man who takes a farm from persons who have been evicted?—Such a feeling did exist in the locality in which I was situated at the time the League was established. I know very little of the locality, since I was five years out of it.

2101. Where have you been since?—I have been at Newagh, and at present I am at Dungarvan.

2102. You are now, I suppose, 45 years of age?—Yes.

2103. Something about that?—Somhteing.

2104. How long have you been in the police force?—Over 30 years.

2105. I suppose you are sprung from the people yourself?—Yes.

2106. Do you not know that in all parts of the country, especially in the poorer parts of the country, that there exists universally a feeling of condemnation of land grabbing, as it is called?—That is the feeling everywhere that I know of.

2107. As long as you recollect?—No, not since I recollect. There was nothing at all about land grabbing previous to 1879, or something like that.

2108. Do you swear that?—That is my impression. I cannot speak with any distinctness, but that is my impression.

2109. I put it to you quite plainly; has there not been condemnation of land grabbing as long as you recollect?—No, sir. I should say not. I never heard of it until about the year 1879.

2110. Do you mean to say you have not years and years ago heard of crimes committed against men who had been in possession of land from which tenants had been evicted?—Yes, but it was never publicly denounced.

2111. I am not speaking of public denunciation, I am asking you whether you did not know that people had the strongest feeling against it?—Yes, that is individual cases.

2112. And has that not existed as long as you can recollect?—There are cases of that description, of course, from time to time.

2113. I am not talking of cases of that description from time to time, I am asking you, do you not know?—There was not a general feeling.



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DOMINICK BARRY.

[Continued.]

2114. Attend. Do you not know of your own knowledge of the people to whom you belong that the strongest feeling existed against the men who took land from which another had been unjustly evicted, as was supposed?—I would not say that the feeling was general.

2115. Well, did it exist to your knowledge?—Not to any great extent.

2116. Where did it exist to your knowledge?—There were individual cases of agrarian crimes from time to time, but it was never generally denounced until recent years.

2117. There were individual cases of agrarian crime?—Yes.

2118. And were those individual cases of agrarian crime very frequently directed against men who had taken land from which tenants had been evicted?—I cannot speak from my own knowledge.

2119. Were some of them such?—Some of such, yes.

2120. Where were you stationed in 1879?—I was stationed at a place called Edindury.

2121. Where is that?—King's County, near Tullamore.

2122. When did you come to the neighbourhood of Galway?—At the beginning of 1880, April 1880.

2123. Were there relief committees in the county at that time?—I am not aware.

2124. Think?—I am aware that seed was distributed amongst the people, further than that I do not know anything about it.

2125. Do you know that they had in their distress eaten their seeds and could not crop their ground without charity?—I have no knowledge of that.

2126. How long were you in Galway?—Very nearly four years.

2127. And do you say that you did not know that the people had eaten, I am not talking of every one, but that a great many of them had in their want eaten their seed potatoes, and could not crop their ground without charity?—I have no knowledge of anything of the kind, but I do not doubt that there were some instances of that sort which occurred.

2128. Was there general distress in a great part of the county?—I would not say it was general.

2129. Over a considerable part of the county?—I would say so. There was a good deal of distress always about.

2130. And principally amongst the smaller holders?—The smaller holders; yes.

2131. Did not the constabulary of Galway themselves contribute to the charitable relief of the people?—They usually do on occasions of that kind.

2132. Did you yourself subscribe?—I have no distinct recollection. I daresay I did.

2133. Even, I mean, the ordinary policemen?—Yes, as a rule they are very good in that way; very charitable.

2134. When the need for it arises?—Yes.

2135. When did you come to London?—Some eight or ten days ago.

2136. Was that your first visit, or were you here for the O'Donnell trial?—I was here on a previous occasion.

2137. Who was it saw you in reference to giving your evidence?—On this late occasion?

2138. On the first occasion?—I received a subpoena on the former occasion.

2139. Would you mind answering my question. I was asking you who was it saw you about giving your evidence?—Nobody saw me until I arrived here.

2140. When did you arrive here?—I think the latter end of June.

2141. From whom, do you recollect, did you get the subpoena?—I think the Irish solicitor for the "Times."

2142. What is his name?—Mr. Bolton.

2143. Is he one of the Crown Prosecutors?—He is Crown Prosecutor.

2144. Did you make any statement of your evidence to anyone?—I did.

2145. Where?—In London.

2146. Where?—I made a general statement of what I had to say. I was asked to do so.

2147. Where?—I handed it in at Mr. Soames' office.

2148. Where did you make the statement?—At the hotel at which I stayed.



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DOMINICK BARRY.

[Continued.]

2149. What hotel?—The “Caledonian.”
2150. Did you write out the statement yourself, or did somebody take it from you?—I wrote it out myself on that occasion.
2151. Was that the only statement?—No.
2152. Did you make a statement to anybody else?—Yes.
2153. To whom?—Mr. Beauchamp.
2154. Who is Mr. Beauchamp?—An Irish solicitor.
2155. Are those the only statements you made?—The only statements.
2156. One that you wrote out yourself, and one that you gave to Mr. Beauchamp?—Yes.
2157. Had you to ask leave to attend in June?—No, I was subpoenaed.
2158. I mean it was not necessary to give any notification?—No.
2159. Do you know Mr. Horne, the magistrate?—Yes.
2160. Had you any communication with him?—No; nothing in particular.
2161. I did not say “in particular,” in reference to your evidence?—No.
2162. You had not?—No.
2163. Where was Mr. Horne, divisional magistrate?—I really could not tell you now. I could not tell you his station at present from memory.

Cross-examined by Mr. LOCKWOOD.

2164. Did you know this man, Birmingham, who gave up the farm, or rather, was evicted from the farm?—Yes.
2165. How long had he lived there?—For many years, I believe—from his childhood I daresay.
2166. Do you mean that his father had lived there before him?—I think his family lived there before.
2167. How old a man was he at the time he was evicted?—I think he was about 65 or 70 years of age.

Cross-examined by Mr. MICHAEL DAVITT.

2168. Did you attend any meetings in Galway addressed by me in 1879?—Yes, I remember you addressing a meeting at Loughrea.
2169. Was that the only one?—That was the only one I remember you addressing.
2170. Have you any recollection of my warning the people against outrages or crime on that occasion?—I have no definite recollection.

Re-examined by Sir HENRY JAMES.

2171. You told my friend who examined you as to the number of meetings that were held after Hynes was evicted, and before the murder of Dempsey?—Yes.
2172. Hynes gave up the farm?—Yes.
2173. Were there any Land League branches in existence at Riverville or the neighbourhood at this time?—Yes.
2174. Whether meetings were held or not, Land League branches existed?—Yes.
2175. Where?—The nearest to this farm was Kiltulla.
2176. (*Sir C. Russell.*) A Land League branch at Kiltulla?—Yes.
2177. (*Sir Henry James.*) How far would that be?—About a mile and a half.
2178. That existed during the years 1880 and 1881?—Yes.
2179. My learned friend has also asked you as to the feeling against of land-grabbing. Did this feeling very much intensify in the year 1879?—Yes, no doubt.
2180. That was when the Land League was established?—Yes.
2181. You were in the habit of attending the Land League meetings, were you not?—Yes.
2182. At all those meetings, were people who took farms from which there had been evictions, denounced?—Denounced at all the meetings as far as I recollect.
2183. When did you first know of the word “land-grabber” coming into existence?—I never heard of the term until then?
2184. 1879?—About 1879. Yes.
2185. May I take it that during the years 1879, 1880, and 1881 you did attend many of these Land League meetings?—Yes.



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DOMINICK BARRY.

[Continued.]

2186. Then I suppose you did hear the word "land-grabber" mentioned very often?  
—I did.

2187. And I understand you that you heard people who took the land denounced?—  
Yes.

2188. Had you known the district we are speaking of where Dempsey's murder took place before this denunciation of land-grabbing took place?—Yes.

2189. And was the district before that time quiet or not?—It was in a very peaceable, satisfactory condition. The entire district, not only that particular part but the entire district.

2190. After the murder of this man Dempsey, he left a widow, I believe?—Yes.

2191. How was she treated, do you know?

(*Sir C. Russell.*) This in no way arises out of any question I have asked.

(*Sir Henry James.*) Very well, I think that objection is good. But as to the state of the district generally after Dempsey's murder, what state was it in?—Very disturbed.

2192. (*The President.*) Sir Charles Russell can cross-examine further upon this, if he thinks fit, but I should like to know what the treatment of the widow was?—She had to be protected by the police, my Lord. She still retained possession of the farm, and until she left this locality she was protected by the police.

2193. (*Mr. Justice A. L. Smith.*) How long?—I should say some four years afterwards.

2194. (*Sir Henry James.*) For four years?—When I left the district she was still in occupation of the farm, and under police protection, and I believe remained there for some 12 months or so afterwards.

MARY DEMPSEY sworn, examined by Mr. RONAN.

2195. Are you the widow of the late Peter Dempsey?—Yes.

2196. Do you remember yourself and your husband coming in March 1881 to the farm at Riverville?—Yes.

2197. Was that the farm that Murty Hynes had given up?—Yes.

2198. When you came there did your husband stock the farm and lay out some money on it?—Yes.

2199. He had friends in this neighbourhood, had he not?—Yes.

2200. Did anyone come to deal at the shop except your husband's immediate friend's?—No, sir.

2201. How did the neighbours treat you?—They were not at all civil.

2202. How many children had you then?—Four.

2203. How old were they?—The eldest was 12, then 7, and the next was 5. The youngest was a year and a half.

2204. How far was the chapel from your house?—About a mile, I think.

2205. Do you remember the day your husband was killed?—I do.

2206. Did you see him start for mass with two of the children?—I did, sir.

2207. What hour was that in the day?—About 11.

2208. Were there plenty of people going on their road to mass there?—There were.

2209. Was he going by the road or through the fields?—Through the fields; there was a way through the fields.

2210. Which way did he go?—Through the fields.

2211. With two of the children with him?—Yes.

2212. Did you ever see him alive after he left your house?—No.

2213. When did you see him next?—I never saw him.

2214. Dead, I mean. Where did you see him?—I did not see him dead.

2215. The night of the murder, did you hear any noise outside your own house?—  
No, sir, not the night of the murder.

2216. On the night of the inquest?—The night he was buried I did.

2217. What did you hear, tell me?—People singing, passing.

2218. Singing outside your house?—Passing in the road.

2219. Did you remain in the place for some years after?—Yes.

2220. Had you police protection?—I had.

2221. Were you boycotted?



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MARY DEMPSEY.

[Continued.]

(*Sir C. Russell.*) I object to that in that form. My friend asked what the neighbours were, and she said, Not very civil to her.

(*Mr. Ronan.*) That was before the husband's murder. I am coming now to a different stage altogether.

(*Sir C. Russell.*) I object to you putting the question in that form.

2222. (*Mr. Ronan.*) Did you find any difficulty in dealing with the neighbours?—I did not.

2223. Had you any difficulty in getting people to work for you?—I had; I did not ask many.

2224. But did any you asked refused?—They were strangers I asked.

2225. How far is Athenry from you?—About five miles.

2226. (*The President.*) Why did you ask strangers instead of people about your own neighbourhood?—I did not like to ask them.

2227. Why did not you like to ask them?—I knew they would refuse.

2228. (*Mr. Ronan.*) Athenry was about five miles from you?—Yes.

2229. Used you to go often to Athenry to get food?—I did.

2230. Why?—There was no other town near. Loughrea was about the same distance.

2231. Did you apply for compensation for your husband's murder to the grand jury?—I did, sir.

2232. Do you know a barrister, a Mr. M'Henry?—I have seen him; yes.

2233. Did he appear to resist the application?—Yes.

(*Sir C. Russell.*) What is this?

(*Mr. Ronan.*) You will hear by-and-bye.

(*Sir C. Russell.*) I do not ask any questions of this witness.

PATRICK HUGHES sworn, examined by Mr. ATKINSON.

2234. Did you attend the funeral of Peter Dempsey?—Yes.

2235. Do you know where the coffin was obtained?—Some of the friends, I was told, got the coffin.

2236. Did anybody attend the funeral?—No, nobody except immediate friends.

2237. The neighbours about did not attend?—No.

2238. Afterwards the men working on their farm, had they to be protected by the police?—Yes.

2239. Labourers could not work on Dempsey's farm without that protection with safety?—No.

2240. Had you to keep policemen there?—Yes, police protection was at once given to Mrs. Dempsey when her husband was murdered.

2241. How long did that continue?—It continued until she left the farm.

2242. How many years?—A couple of years.

2243. Do you remember the night of the funeral?—Yes.

2244. On returning from the funeral that night, did you see any bonfires lighted through the country?—Yes, torch lights were on every hill-top around me as I went home.

2245. Were you present when a labourer on the farm cut some turf, peat, to sell?—Yes.

2246. Was he protected by police while doing it?—Yes.

2247. After he had done it, did anything happen to the turf?—Yes, the turf was burnt one night.

2248. Very shortly afterwards?—Yes; as soon as it was dried and put in clamps it was set on fire and burnt.

2249. (*Sir C. Russell.*) What was the date of the funeral?—The 30th of May, I think, as far as I recollect.

(*Sir Charles Russell.*) I do not ask anything.

2250. (*Mr. Justice A. L. Smith.*) You said you got the coffin from somewhere. Where was that?—The friends got the coffin, my Lord, I do not exactly know from whom, but I believe it was some immediate friend who supplied the coffin.

(*Mr. Murphy.*) I propose to take Connor's case next, which I think was mentioned by the Attorney-General on the first day at page 45.



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JULIA CONNOR.

[Continued.]

JULIA CONNOR sworn, examined by Mr. MURPHY.

2251. Are you the widow of James Connor?—I am.

2252. And was he in 1881 a tenant of Lord Dunsandle in the county of Galway?—  
He was.

2253. Do you remember a man named James Keogh having some bog?—I do.

2254. Was he what was called bog ranger?—He was.

2255. And he had a piece of bog along with his bog ranger's work; was that it?—  
He was clearing the bog.

2256. Do you know whether Keogh gave up the bog?—He did.

2257. And do you know how it was that he came to give it up?—Yes.

2258. How was that?—He refused carrying the wild fowl for a gentleman; he said  
he would not.

2259. And what happened then?—He gave it up, and then James Connor took it.

2260. Now after your husband took it, how did the people treat you, and your  
husband?—They treated us badly.

2261. In what way?—By shouting.

2262. Was this often, or where was it done, this shouting?—It was coming out  
from the chapel.

2263. And elsewhere?—In the town of Loughrea.

2264. What town?—Loughrea.

2265. Was there a Mr. Martin O'Halloran living at Loughrea?—He lived at Kil-  
turry.2266. Used you and your husband go to that town occasionally?—When we  
wished.2267. And when you have been passing his house what has happened, if anything?  
—There was shouting.

2268. A little shouting?—Yes.

2269. What was it they used to shout?—Shouting names.

2270. What was the name. Do you recollect?—I do, sir.

2271. Tell me what was the name?—They called us Jimmy Worried, names like  
that, groaning.2272. What name did they call you, did they say what your husband was, Jimmy  
what?—Jimmy Worried, they used to call him.

2273. What does that mean?—That is a kind of nickname.

2274. Has it any particular meaning, or is it merely a nickname?—It was a nick-  
name.

2275. A nickname?—Yes.

2276. Was there any other name they used to call him, anything about the land?—  
Landgrabber.2277. Has this name "landgrabber" ever been called him, or called you, when you  
were in Martin O'Halloran's house?—No, it was to him they used to call it.2278. Now, Mr. O'Halloran had a house you told us in Kilturry. Were there any  
meetings held there?—There was.

2279. What meetings?—They used to have meetings.

2280. What sort of meetings?—I do not know.

2281. What were they called in the country—the meetings that were held there?—  
I could not say—Land League.

2282. Did you never hear the name of the meetings?—Land League meetings.

2283. Do you remember one day your husband going to pay his rent?—I do.

2284. Where was he going to pay it?—At Lord Dunsandle's.

2285. What happened to him when he was coming in?—They would not let him  
walk along.

2286. Who would not let him walk?—The Land Leaguers.

2287. (*Sir C. Russell.*) Were you there with him?—No.2288. (*Sir C. Russell.*) Then we cannot have that.(*Mr. Murphy.*) I thought she was with him.

2289. He told you something about it; that is all we can have?—That is it.

2290. Now, had you any difficulty in getting food?—There was.



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JULIA CONNOR.

[Continued.]

2291. How did that arise. What was the cause of your having difficulty. Were you ready to buy it?—They boycotted us.

2292. How did you manage to get food if you wanted it?—The police got it for me in their own name.

2293. Used you to get the food by day or night?—I used to get it in the night at my house.

2294. The police used to bring it you at night?—Yes.

2295. Do you mean the people would not sell you food in the daytime?—They would not.

2296. How long did this go on before your husband was murdered?—It was not very long before.

2297. Not very long before he was murdered?—No.

2298. Now, let me ask you this; do you remember when the Land League first came to be established in your district—about the time. I do not want the year. Do you remember the fact of the Land League being established down in your district?—I do, sir.

2299. Had you any difficulty in getting food or getting on with your neighbours before that time?—No.

2300. The 11th May 1881, I think, you and your husband went to the funeral of his father, which was about 15 miles away?—Yes, the funeral of my father.

2301. Your husband was driving the horse and cart?—He was.

2302. When you got a mile from home were two shots fired one after another?—Yes, there was.

2303. The first shot knocked him off the car?—Yes.

2304. Did you see three men running away, one with a gun in his hand?—Yes.

2305. The fourth stopped and walked up by the wall?—Yes.

2306. Your husband died from the wounds he received on that occasion?—He did.

2307. Did any neighbours come to the wake?—There did not much.

2308. Two or three, I think?—Yes.

2309. How soon did he die after he was shot?—The next morning.

2310. Was the funeral attended by the neighbours?—It was not.

2311. Why was that?—They would not come in it.

2312. They would not come in it?—No, they did not.

2313. Now, after this funeral—after your husband's murder—had you any difficulty in getting food?—I had.

2314. As much as before?—I had.

2315. The police had to supply it you at night?—Yes.

2316. Now, when your crops came in would your husband's neighbours help you to save them, or not?—They would not.

2317. I think you had to get people 13 miles away to come and help you?—Yes.

2318. People would not help you in the neighbourhood?—No.

2319. Why would not the people help you; were they willing to do it, or afraid, or what?—They would not do it.

2320. Did you know either of the men that fired at your husband?—I did.

2321. Were they disguised, or not?—No, sir.

2322. Had you known the men before; did you know the men before this outrage?—I did.

2323. Knew them well?—Yes, I did.

2324. Were they tried?—Yes.

2325. Did you give evidence against them?—Yes.

2326. Were they convicted or acquitted?—Acquitted; they were acquitted.

2327. What were the names of the three men? I shall want to show my Lord they were prominent members of the League?—One, Keogh; one, Ryan.

2328. Who was the other?—I do not know.

2329. You did not know the other?—No; I used to know them.

2330. You only knew two out of the four?—Ned Fahy.

2331. Do you say you knew one, two, or three of the men?—Yes.

2332. How many?—Three.

2333. How many of them were tried?—Two of them.

2334. Which of them?—Ryan and Keogh.



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PATRICK HUGHES.

[Continued.]

Cross-examined by Mr. R. T. REED.

2335. I want to ask you one question. What was the date your husband took the land, the bog land; you remember?—In May.

2336. In May of what?—Four years ago.

2337. I think you must be mistaken about that?—It was. I am mistaken.

2338. Was it May of 1880?—Yes.

2339. The year before he was murdered. Is that so?—Well, I do not remember what year it was.

2340. I do not want to press you for very exact particulars, but did he have the bog land about a year, or a little more than a year, before he was murdered?—He had not.

2341. How long then?—It was not left long after taking it.

2342. How long was it, a month about?—I do not know. It was about a fortnight, or something like that.

(Mr. R. T. Reid.) Then it would be 1881, my Lord.

2343. You say you were boycotted; were you not boycotted before?—We were not boycotted until that time, that is the time when the Land League began, when we took that.

Re-examined by Mr. MURPHY.

2344. You were boycotted after the murder, as well as before?—Yes.

2345. And had police protection?—Yes.

2346. Your son is ill, I think?—He is.

(Mr. Murphy.) I shall be able, perhaps, to call him another day.

(The Court adjourned for a short time.)

PATRICK HUGHES re-called, examined by Mr. ATKINSON.

2347. Do you know where John Connors, who was murdered, lived? Do you know his farm?—Yes, James Connors.

2348. How far is that from Murty Hynes' farm?—It is about a mile and a half.

2349. Do you know a man named O'Halloran, who had a house in Kiltulla?—Yes.

2350. Have you seen meetings taking place at that house?—Yes, and on his farm of land. Generally when meetings used to take place in Kiltulla it was on his land they used to be held.

2351. What meetings were they?—Meetings of the Land League, public meetings.

2352. Have you seen banners and cards in the hats of people who attended?—Yes.

2353. And heard the speeches which were delivered?—Yes, some of them.

2354. Do you know the three men mentioned by Julia Connors in her evidence as having been those who attacked her husband, John Riley, Patrick Keogh, and Edward Fahy?—Yes.

2355. Have you seen any of them attending those Land League meetings?—Yes, invariably they attended the meetings there, some of them with Land League cards in their hats.

2356. Did they take a prominent part in the meetings?—Well, I never saw them on the platform. I saw them in the crowd.

2357. With Land League cards in their hats?—Yes.

Cross-examined by Mr. R. T. REID.

2358. How many people would be at these meetings?—I dare say the last meeting I saw held there were 6,000 people.

2359. (Mr. Justice A. L. Smith.) 6,000?—About 6,000 people, my Lord.

2360. (Mr. R. T. Reid.) In fact a large part of the population of the district would be there, I suppose?—Yes.



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JOHN MICHAEL ELWOOD LEWIS.

[Continued.]

2361. I suppose they were always large meetings?—Well, no, there used to be some small meetings.

2362. Ranging from what?—Sometimes 500 people.

2363. From 500 to as you say as much as 6,000 people?—Yes.

2364. On these occasions of these meetings have the National League meetings been continued since?—When I left the district I cannot speak.

2365. Within the last 18 months? When did you leave the district?—When did I leave the district, in 1882.

2366. Very well, you would not know much about that. Perhaps I may as well ask you this. It is suggested to me. You said you have seen them at all the meetings or several of the meetings. All the meetings I think you said?—Yes, all the meetings that I was at at Kiltulla. I used to invariably see Riley, Keogh, and Fahy. That is when they were not in gaol.

2367. Can you give me any idea of the dates?—Well, I did not take the dates. I have not the dates.

2368. Can you give me an idea, please?—I think in December 1880 there was a meeting there and they were at it.

2369. Any other?—I did not take the dates. I have not them exactly because I was only preserving the peace there.

JOHN MICHAEL ELWOOD LEWIS sworn, examined by Mr. MURPHY.

2370. Are you a magistrate and grand juror of the county of Galway?—Yes.

2371. And I think you live at Ballinagar, which is some three miles from Woodford?—Yes.

2372. I think your father succeeded to his estate in 1867?—Yes.

2373. And up to the time when some Land League branches were established there, on what terms had the tenants lived with him?—Always on the most friendly terms.

2374. What was the date when the Land League branches were established in your district?—In or about 1880.

2375. What part of the year?—About November.

2376. At that time what was done about the rents? Did the tenants pay them or not?—No, they did not. A number of them waited on me to offer Griffith's valuation.

2377. You were acting as agent, I suppose, for your father or mother?—For my mother.

2378. And offered Griffith's valuation?—Yes.

2379. Was the result that proceedings had to be taken against some of the defaulting tenants?—Yes.

2380. What was done then to you and your mother, if anything?—Not at that time; my cattle were boycotted at Loughrea Fair.

2381. When was that?—On the 5th December 1880.

2382. Now, during this time you say the tenants made difficulty about paying. Did some of them pay privately or not?—Yes.

2383. Did you take proceedings against some of the tenants?—Yes, I did.

2384. What happened at the fair of Woodford?—I sold some cattle there and the man refused to take them.

2385. How was that?—He was afraid—intimidated.

2386. Now, in 1882, had you a quantity of hay on a farm called Lurgan?—Yes.

2387. Did anything occur to this hay?—It was burnt.

2388. And when you came to use your mowing machine, what had happened to your mowing machine?—It was broken.

2389. How?—There were spikes put into the leather.

2390. Then came the Land Court. I presume your rents were settled in that Court with your tenants?—Yes.

2391. And did they begin to pay again regularly?—Yes, they did.

2392. Between that time and November 1885, was the Land League as active in your neighbourhood as it had been before or not?—No, it was not.

2393. What became of the branches?—I do not know. They were closed up, I suppose. There was no agitation going on then.



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JOHN MICHAEL ELWOOD LEWIS.

[Continued.]

2394. Now, in November 1885, was there a day appointed for receiving the rents?—  
Yes.

2395. And did the tenants come to your house in a body?—Yes.

2396. By whom were they accompanied or led?—The Reverend Father Calligly and Father Roche, and Father Coen, and Father Egan, his curate.

2397. And who else. I thought you said there were four?—That is all.

2398. What occurred?—They sent up word to say that they wished to see me in a body, and I declined to see the tenants, unless individually, as I was in the habit of doing, and sent them down word to that effect. They refused to come up that way, and they all marched away from the hall door together.

2399. On that occasion had you any conversation with the priests?—No.

2400. That you say was in November. The fair of Loughrea, I think, was in December?—Yes, the 5th December.

2401. Did you see any notices when you went into the town?—Yes, there were notices up to boycott my cattle.

2402. And were they in fact boycotted?—No, I sold them afterwards.

2403. At the fair, or not?—At the fair.

2404. Now, next day was there a Land League meeting held at your gate?—Yes.

2405. About how many people came there?—I should think between 4,000 and 5,000 people were there.

2406. Do you know who were the speakers at it?—I heard the names, but I did not hear them myself.

2407. Did you see anything done by any of the speakers?—I could see the finger of each speaker pointing over towards my residence.

2408. That was the 6th of December?—Yes.

2409. On the 13th was there any attempt to blow up your house?—Yes.

2410. Just tell their Lordships what occurred about that?—About half-past 2 in the morning, my Lord, I heard a loud report, and I got up and went to my brother's room, and I told him I thought there was an attempt made on the house. After the servants were alarmed we waited some time in darkness, and then I lit a candle and dressed myself, and went down to the constabulary barracks which is not very far off, and reported the matter to the constabulary, and brought them up. When they returned we went down to open the door that leads from the back hall to the front hall, and we found some difficulty in opening it, and when we did open it we found the hall door, which was partly glass, and the shutters were all blown in and broken up, and the stained glass windows at each side and up the whole front of the house, and all the windows were broken.

2411. Were there any notices about?—There was a boycotting notice the next morning placarded in the neighbourhood.

2412. I do not know whether you have got one of those notices?—Mr. Wade, the district inspector, has it.

2413. Did any of your workmen leave after that?—Yes.

2414. And have they returned?—No.

2415. Tell me whether you know this of your own knowledge or not, because I will pass it by if you do not. Did you know Finlay, the process server?—Yes.

2416. Did he live in your neighbourhood?—Yes.

2417. Did you see anything done to his house, or after it had been done?—I saw the windows broken.

2418. Probably you went there as a magistrate?—Yes.

2419. You saw the windows broken. What month was that in?—It was in the month of December.

2420. The same month that your house had been attacked?—Yes, the same month, the 27th, I think.

2421. Can you tell me whether Finlay had any difficulty in getting food or not?

(Mr. Lockwood.) Well, but does he know?

(Mr. Murphy.) He has personal knowledge.

2422. Can you tell me whether he had any difficulty?—Yes, he had.

2423. How do you know that?—I had to supply him myself.

2424. Why had he difficulty in getting food?—He was boycotted in the neighbourhood.



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JOHN MICHAEL ELWOOD LEWIS.

[Continued.]

2425. Have you been in the habit of getting turf cut some years by a man?—Yes.
2426. Did he refuse to cut turf for you any longer?—Yes, he did.
2427. The butcher at Portumna, did he cease to supply you with meat?—He refused to sell me any meat.
2428. Why?—I went in and saw the meat hanging up, and he said he had none. Then he sent me a message through the police to say he could supply me through them, but he could not supply me himself.
2429. In January 1886 was there any further notice boycotting you?—Yes.
2430. Was that alone or with other names?—Edward Farrell of Woodford was to be boycotted for supplying goods to myself and to Finlay; Finlay who was murdered afterwards.
2431. Do you remember in 1886 wanting some flannel for a sick tenant?—Yes.
2432. Did you go to Woodford to get it?—Yes.
2433. Could you get it for him?—No, he said he had none though I saw it in the window.
2434. Now on March 3rd we know that Patrick Finlay was murdered?—Yes.
2435. I think you were the first almost that came to see the body. Did you see the widow coming out into the street?—Yes,
2436. How was she received by the crowd outside when she came out?—With jeers, and they were laughing at her and jeering and hooting at her.
2437. Where was the body at that time?—The body was in the wood.
2438. After Finlay's murder had the widow difficulty in getting wood, amongst other things?—Yes.
2439. Did you supply her with a load of wood?—I took her in a load myself. None of the men would.
2440. None of the men would?—No. I personally took it.
2441. Now, in May 1886 there was a man named Conway, I think?—Yes.
2442. Was he working for you or not?—No, Sir Henry Burke.
2443. He had been working for Sir Henry Burke?—Yes.
2444. Was it within your knowledge, as a magistrate in the county, that he had his pigs and fowl destroyed?—Yes, I visited them.
2445. On August 23rd in that year, do you remember Father Fahy calling on you?—Yes.
2446. Tell me what Father Fahy said?—He said he called on me about a particular tenant that was evicted, and I explained the circumstances of the case to him, and said I would be glad to have it settled; it was only from some land he was being evicted, and he seemed not pleased with the arrangement I intended to make with this tenant, and he jumped up then and he said I could not go on with the evictions against the power of the people, but that if I made an arrangement with my tenants, as Sir Henry Burke had done, I would not require police protection, but that, if I did not, before six months my house would be blown up and my life taken, and he stamped his heel against the ground and said also, "Sir, I think it my duty to denounce you from the altar."
2447. Now, on the 7th of September, did the same Father Fahy come to your house at 9 o'clock at night?—Yes.
2448. Were there any people with him?—He had a crowd of people with him.
2449. What did he say or do?—I did not hear the whole of the speech, but I heard him calling me out to fight.
2450. Tell us the words as nearly as you can?—He called out "Blind Lewis, Glass-cye, here, in the presence of the men of Galway, I challenge you to come out and fight."
2451. I think you prosecuted him before the magistrates for that speech?—No, I did not, the Crown did.
2452. He was ordered to keep the peace?—Yes.
2453. Do you remember in February 1887 anything about Richard Donoghue?—Yes, he came to me and threw up the herding. It was after the meeting, there had been a meeting the day before in a place called Abbey.
2454. A Land League meeting?—Yes.
2455. Do you know who was the president?—No.



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[Continued.]

2456. He came and threw up the herding?—He cried and said he had been herding it for nearly 30 years, but his life was more to him, he could not keep it any longer, and gave it up. He said he should have to give it up and go into the workhouse.

2457. Will you see whether that is one of the boycotting notices you were speaking of?—Yes.

2458. “Boycotting notice. Hannah Lewis of Ballinagar and her son, Elwood Lewis, are now boycotted. Let no person work for, buy from, or sell to those cruel tyrants. They refuse any abatement in their rents. They defy the power of the people, let them taste a little of its effects. Servants of Ballinagar leave your situations at once or else” and then there is a blank. “Shopkeepers of Portumna, Woodford, or Loughrea deal not with those vile despots or if”—then another blank. “Herds—men cease to work for those Orange bigots unless you wish to be”—then there is another blank. “Graziers and cattle dealers of Ireland if you buy their stock you may expect”—then there is another blank. “Down with Landlordism, Hurrah for the People.” In April 1887 were your woods and plantations burnt or portions of them?—Yes.

2459. The timber cut down?—Yes.

2460. And fences taken away?—Yes.

2461. On June 14th, 1887, were stones thrown at you coming from Galway?—Yes.

2462. Had you an escort at this time?—Yes, I was under police protection.

2463. All this time?—Yes, at the time the attempt was made at the house.

2464. In August did men come and carry off your crops at night?—Yes, off the evicted farms.

2465. And without going in detail into it, you are prepared to give the names to their Lordships, if necessary; were there a number of other men in your employ who left in consequence, as they said, of fear of the Land League?—Yes.

(*Mr. Lockwood.*) He did not say it was for fear of the Land League.

2466. (*Mr. Murphy.*) My friend calls my attention properly to this, that you do not appear to have said it was in consequence of fear of the Land League. What did they tell you when they resigned their places?—They said they could not go against the people.

2467. Do you know a man named Farrell?—Yes.

2468. Was he a ratepayer?—Yes.

2469. And had he voted for compensation for some of the injuries that were done to you?—To my house.

2470. Was anything done to him after that?—Yes; he was attacked in Woodford and his head was cut by a stone.

2471. Do you know whether he was boycotted or not?—I believe so.

2472. Shaughnessy was one of your tenants, I think?—Yes.

2473. Was anything done to him to your knowledge?—His turf was thrown into a bog.

2474. (*Mr. Lockwood.*) I suppose this is what he has been told?—I saw it myself. I saw the turf thrown into the bog hole. He had it cut and up on the bank, and it was all thrown and broken up down in the hole.

2475. (*Mr. Murphy.*) Was there anything else done?—Yes; there was a form of a grave dug quite convenient to his place.

2476. Did you know what, if anything, he had done?—I was informed it was because he had spoken to me.

2477. I cannot ask you that. Do you know, I mean, of any provocation he had given to anybody?—No, I do not.

Cross-examined by Mr. HARRINGTON.

2478. This is not the first time you have told all this story, Mr. Lewis?—No.

2479. You were examined at the trial?—Yes.

2480. And told a good deal of this?—Yes.

2481. Have you been collecting of rents for your mother?—Yes.

2482. Can you tell me what was the rent when you first collected?—I should say about 1,500*l.* a year, the rent of the estate.



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[Continued.]

2483. In what year was that?—Well, I became agent in 1880.
2484. And the rent then was 1,500*l.* a year?—Yes, I should say so.
2485. Fix it as nearly as you can?—Well, I should say about that.
2486. What is the annual rent at the present time?—Well, there were a couple of hundred knocked off by deductions in the Land Court.
2487. And there are a number of tenants who have not yet gone through the Land Court at all, I presume?—No, very few.
2488. There are some?—Yes.
2489. And some whose cases are at present before the Land Court?—I think there are only one or two.
2490. Were there leaseholders on the property?—There are about four.
2491. You told us, I believe, you were a grand juror of County Galway?—Yes.
2492. Have you sat on the grand jury actually?—Yes, I have.
2493. Now, at what time is this that your hall door was injured?—On the 13th December 1885.
2494. You of course took steps to recover compensation?—Yes, I did.
2495. What did you swear the value of that injury was?—I put in for 200*l.*
2496. And what did your brother grand jurors of the county of Galway award you?—I got 30*l.*, I think, from them.
2497. Are you sure now it was not 26*l.*?—No, I got 26*l.* from the judge; you are quite right, I got 26*l.* from the judge.
2498. Have you any suspicion as to who set fire to your plantation?—No, I have not.
2499. Had you ever a suspicion it was done by any person in your employment?—No, never.
2500. What did you claim for the injury to your plantation?—40*l.* for the fence and plantation.
2501. And your brother grand jurors awarded you, I think, the sum of 16*s.*?—It did not go before the grand jury at all.
2502. At the Presentment Sessions they awarded you 16*s.* Is that so?—Yes, because—
2503. What was the amount awarded at the Presentment Sessions?—16*s.*
2504. You had sworn the value at 40*l.*?—Yes; for the fence and the wood.
2505. And you were awarded at the Presentment Sessions how much?—16*s.*
2506. (*The President.*) You began a sentence which you did not complete. “That was because”———Yes. In the Act of Parliament it said something I was not aware of at the time, that woods were excluded, and I found I could get nothing for the woods.
2507. (*Mr. Harrington.*) Did you ever appeal from that decision at the Presentment Sessions?—No, I did not.
2508. You never appealed from that?—No, I did not.
2509. You were perfectly satisfied with the amount?—Yes.
2510. Did you find that people in the county of Galway sometimes had a difficulty in disposing of their cattle or their farm produce?—People in the county?
2511. Yes, some people in the county?—No, I do not know.
2512. When they were unpopular you did not find they had any difficulty?—You mean other parties?
2513. Yes.—I do not know anything about them.
2514. You do not?—No.
2515. Had you a difficulty yourself?—Yes.
2516. Did you find the grand jury gave a better price than was usually given in the market?—How do you mean? I do not understand you.
2517. I think you will understand my question. To a man who had a difficulty in disposing of his cattle, did the grand jury award a higher value than he would have got in the open market?—No; I cannot understand it as you put the question.
2518. You cannot understand it? No, I cannot.
2519. Now you told us something about asking for flannel?—Yes.
2520. Did you require that flannel?—Yes.
2521. For whom?—For a man named Francis Conway.
2522. Had you been asked to purchase it for him?—No.
2523. And Conway knew nothing about your going to ask for the flannel?—No, he did not.



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JOHN MICHEL ELWOOD LEWIS.

[Continued.]

2524. I think you told us you saw it in the window?—Yes.

2525. What was the first question you asked when you went in?—I said I wanted a yard or two of that scarlet flannel.

2526. Now will you remember your former evidence in regard to this matter. Did you swear before, that you asked the shopkeeper whether he had any scarlet flannel?—I may have said that, but I saw it in the window.

2527. Did you? Have you any doubt that you did?—I could not tell at this length of time.

2528. Have you any doubt that your cross-examination and examination were contrasted on that point?—No.

2529. Have you any doubt?—I saw the flannel and I asked them for a yard or two.

2530. What was the answer?—He said he had none. I showed it to him in the window. There were two policemen with me at the time.

2531. Give me the names of the two policemen with you at the time?—Constable Collins, I think, and Constable Farden.

2532. They did not hear the conversation?—One of them, I think, did.

2533. Which of them?—I think it was Collins.

2534. Since what period have you been refused goods in Portumna?—In and about February, 1886.

2535. February, 1886?—Yes, I think so.

2536. Since then you have never been refused goods in Portumna?—I have never asked.

2537. Have you been refused in Woodford? What is the last date of your refusal in Woodford?—That date, I think.

2538. The same date?—I think so.

2539. That is since February?—Yes.

2540. Since that period the two outrages to which you refer have taken place?—Which two injuries?

2541. The injury to the hall door?—No, that was before.

2542. The injury to the wood?—Yes, the injury to the wood did.

#### Cross-examined by Mr. LOCKWOOD.

2543. Will you tell me please how many tenants had you altogether in 1879?—There were about 120, I think.

2544. What was about the average holding of each tenant?—The rent—

2545. I was not going to ask you the rent. I asked the average holding with regard to acreage?—Some of them were small, some large, and then they had a great lot of common.

2546. That is a very comparative way of speaking. Can you give us in acres about the average holding of each tenant?—Some had 15 acres.

2547. Was that a large amount?—20 acres.

2548. Was that the largest amount?—Thirty. I should say the largest would be about 30 or 40.

2549. And the smallest going down to what?—I suppose 3 or 4 acres.

2550. And in all, in number, the tenants about 120?—About 120.

2551. Is this an estate that you have inherited or one that you have purchased?—One that I have inherited.

2552. Then may I take it these tenants of these various holdings were the descendants of persons who had lived upon the land before it came into your possession?—Yes, they had lived under my family for years.

2553. For a great many generations?—Oh, a great many.

2554. When did you commence evictions?—Well, we had no evictions until, I think, August 1886.

2555. You had none until August 1886?—Yes, there may have been one or two before, perhaps.

2556. Oh, had not you any in 1879?—No.

2557. Or 1880?—No.



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JOHN MICHAEL ELWOOD LEWIS.

[Continued.]

2558. When were the one or two more of which you spoke?—I think it was in 1883 we had one.

2559. And in 1886 how many evictions?—I think there were about eight or nine, but some of them were let back as caretakers.

2560. Not more than eight or nine in 1886?—No, I think not.

2561. You are sure of that?—And one of those was from land alone.

2562. Without a residence?—Yes, it was a family dispute.

2563. Had a general application been made to you for abatement?—Yes, it was generally known in the neighbourhood.

2564. You do not follow what I meant. Had a general application been made by the tenants to you for abatement?—No, I refused to see them at that time.

2565. You knew they had come?—Yes.

2566. To ask you? They had come ———?—For 50 per cent.

2567. Whatever it was, they had come to ask for abatement, and you declined to see them?—Yes.

2568. Was that before or after the evictions?—That was before. That was in November 1885.

2569. Before the evictions?—Yes.

2570. (*The President.*) You say they demanded 50 per cent.?—Yes, my Lord.

2571. (*Mr. Lockwood.*) I do not gather that he pledged himself to that with accuracy, but I understood he said 50 per cent. or thereabouts, or something of that sort?—No; 50 per cent. is what was known in the locality they were going to demand of me.

2572. (*Mr. Justice A. L. Smith.*) As I understand they came *en bloc*?—Yes, they all came together.

2573. (*Mr. Lockwood.*) You heard, as far as I understand it, that in the neighbourhood a demand for 50 per cent. reduction was being made?—Yes, from myself.

2574. And so you assumed they were coming *en bloc*, as my Lord has said, to make demand for this reduction?—Yes.

2575. And therefore, so far as they were concerned, you refused to see them?—Yes.

2576. That is what I understood. Perhaps I have missed that portion of your evidence. Where is your estate?—It is within three or four miles of the town of Woodford.

2577. Who are your neighbours, Mr. Lewis?—Do you mean the gentlemen's seats about?

2578. Yes?—Sir Henry Burke is the nearest.

2579. He made reductions, did not he, to a considerable extent?—He did give reductions.

2580. Do you know to what extent?—I believe he gave 15 per cent.

2581. Oh, no, just think. Considerably more than that, did he not? Did not he make a reduction of as much as 40 per cent.?—I do not think so.

2582. What makes you say 15?—Because I heard that was offered—that that was what he was giving them and there were none of them judicial rents.

2583. Would you like to say that he did not reduce as much as 40 per cent.?—I cannot tell, but I know that his rents were not judicial.

2584. If you tell me you have no accurate knowledge of what his reductions were, I will take that answer?—I have not.

2585. Do not put 15 per cent. upon me if you do not know it?—I have no accurate knowledge.

2586. What was the amount of reduction you offered your tenants?—We offered 15 per cent. in September.

2587. 1885?—No, in November, 1886.

2588. What was the date of your evictions?—August, 1886.

2589. Had you made any offer of deduction before that offer you made in November, 1886?—No.

2590. Then may I take it that your evictions, however many they were—8 or 9—were all previous to any offer on your part of deductions?—Yes.

2591. Can you tell me the name of any other neighbour of yours? You have told me Sir Henry Burke. Can you tell me of any other?—Well, the rest of the land in the locality belongs to Lord Clanricarde.



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JOHN MICHAEL ELWOOD LEWIS.

[Continued.]

2592. It is Lord Clanricarde of whom I was thinking. Is he a neighbour of yours?—Well, he lives in London but his property adjoins mine.

2593. Perhaps that is not an uncommon state of things?—Yes.

2594. He lives in London but his land is adjacent to yours?—Yes.

2595. Does his land march with yours?—No, Sir Henry Burke's land, I think, goes in more with ours.

2596. I have suggested to you (I do not know that it is a matter of any great moment) that Lord Clanricarde's land adjoins yours?—In some parts it does.

2597. (*Mr. R. T. Reid.*) With indulgence may I ask a very short question or two. My junior has cross-examined. It is only by indulgence I can do so; it is on one specific point.

2598. You said something about what Father Fahy had said to you?—Yes.

2599. Several very violent, strong expressions?—Yes.

2600. Threatening you with death?—Yes.

2601. Do you know that Father Fahy has repeatedly denied the truth of that?—I have seen that in the newspapers.

2602. You are aware?—Yes, I have seen it in the newspapers.

2603. You are not aware that he has had an opportunity yet of doing so, but I wish to elicit this from you, that the statement is vehemently contested by Father Fahy.

(*Mr. Murphy.*) He does not know that, except from what is in some newspaper, which may, for ought I know, be my friend's newspaper.

(*The President.*) I think you have got it he knows it is disputed.

2604. (*Mr. Murphy.*) Did you give evidence on the trial of *Blount v. Burn*, in Dublin?—Not about Father Fahy.

2605. But about the other matters you have been examined about here?—Yes.

2606. Were there any witnesses called to contradict your statement that you know of?—No, none whatever.

2607. The trial lasted, I think, several days?—Yes.

2608. You were a witness for the defendant, but of course my friend knows as well as I do that witnesses might have been called in reply?—Yes.

(*Mr. R. T. Reid.*) I do not know it.

(*The President.*) What was the trial?

(*Mr. Murphy.*) A trial of *Blount v. Burn*, my Lord.

(*The President.*) Yes, I know the case.

2609. (*Mr. Murphy.*) Do you know whether a rebutting case was gone into, as it is called, on some points?—Well, I could not exactly say.

2610. (*The President.*) I do not know where the case was tried.

(*Mr. Murphy.*) It was tried in Dublin, my Lord?—In Dublin.

2611. (*Mr. Murphy.*) Before Chief Baron Pallas, if I recollect aright.

My friend, Mr. Harrington, has suggested to you that the grand jury gave better prices, as I understand, than persons who were boycotted could get. I do not know what the suggestion is?—Yes.

2612. I do not know what the suggestion is, but if it means that you had anything to do with the killing of these cattle, is there any truth in that, or any foundation for such a suggestion as that?—None whatever.

(*The President.*) I confess I did not understand it so at all.

(*Mr. Murphy.*) I do not understand what the suggestion means. Perhaps my friend will explain what the suggestion means.

(*The President.*) No, no. Pray do not let us go back.

(*Mr. Murphy.*) If it means nothing, of course I pass on.

(*Mr. R. T. Reid.*) Of course, my friend could not have meant that.

(*The President.*) I did not understand it. If any such incident should come up again perhaps it will be made more clear.

2613. (*Mr. Murphy.*) The tenants, I understand, came to you in a body?—Yes.

2614. What offer did you make about seeing them?—To see them individually, as I was in the habit of doing.

2615. That was refused?—Yes.

2616. Was this man Conway sick, in fact, for whom you wanted the flannel?—Yes, he was.



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JOHN MICHAEL ELWOOD LEWIS.

[Continued.]

2617. Why did you not ask for goods in Portumna—go to Dublin for goods, after these incidents?—Because I was boycotted.

(*Mr. Murphy.*) My Lord, I may mention that when we put in the file of the “United Ireland” for the 7th and 14th of November 1885, we shall find the Rev. Mr. Coen—this is for your Lordship’s convenience—Mr. Roach, and the Rev. Mr. Egan were members of the Land League that took part in meetings at this date.

(*The President.*) You mean these gentlemen who headed his tenants?

(*Mr. Murphy.*) Yes, two of them.

(*The President.*) Who led them?

(*Mr. Murphy.*) Yes; that is only my statement, for your Lordship’s convenience. It has been examined.

(*Mr. R. T. Reid.*) It is the National League.

(*Mr. Murphy.*) We shall prove the only difference is in the name.

(*Mr. R. T. Reid.*) I am not suggesting that question.

2618. (*Mr. Murphy.*) The National League. Will you look at that photograph. The photographs of these two reverend gentlemen are there. Tell me whether you know the faces of any more in that group?—Yes; there is Father Coen on the right, and there is John Roach in the centre, and this is Father Egan.

2619. Do you see Mr. Tully?—Yes, I see Frank Tully.

2620. That is the man they call the Doctor?—Yes.

2621. Is that a photograph circulated in the neighbourhood?—I am not aware.

2622. Not to your knowledge?—

(*Mr. R. T. Reid.*) May I see it. I do not know how my friend does really prove this.

(*Mr. Murphy.*) I shall prove it.

(*Mr. R. T. Reid.*) You do not know.

(*Mr. Murphy.*) Not at this moment. It is the Woodford Land League.

JOHN LAMBERT SWORN, examined by Mr. ATKINSON.

2623. Where do you reside?—At Aggert, in the county Galway.

2624. Up to the time of the establishment of the Land League in your district were you on good terms with your tenantry?—Yes.

2625. Have you lived long in Galway?—Since 1829.

2626. And are acquainted with the locality, I presume?—Yes.

2627. And with the adjoining counties?—Yes.

2628. Up to 1879 did you ever know of any punishment being inflicted upon any tenant for paying his rent?—No.

2629. Did you ever know of any punishment being inflicted upon any tenant for taking an evicted farm?—Up to when?

2630. Up to 1879?—Never.

2631. Did you yourself attend any meetings of the Land League, I presume not?—No.

2632. Were you fired at?—Yes.

2633. When?—On the 21st June 1881.

2634. Where were you upon that day?—I was on the road going to Ardahan Session.

2635. After those meetings, previous to the time you were fired, at had you any dispute with your tenants?—Yes.

2636. When did the dispute begin?—I think in 1880.

2637. What was it about?—I wanted to get rent which they would not pay.

2638. Was there any reduction claimed by them? Did they ask for any abatement?—Well, they went into court and got their rents reduced.

2639. Do you know a man of the name of Corbet?—Yes.

2640. Was he evicted?—He was.

2641. Did he refuse to pay anything?—He refused to pay anything, and the whole village would not have paid anything if I had not evicted him.

2642. Was there another tenant named Holland?—Yes.

2643. Was he also evicted?—He was.



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JOHN LAMBERT.

[Continued.]

2644. Was this before the firing at you. Was this before the time you were fired at?—I think it was after.

2645. What time of the day was it you were fired at?—It was about between 11 and 12 o'clock in the day.

2646. Had you any particular business at the sessions?—Yes, I went to prosecute Corbett, who had taken forcible possession after being evicted.

2647. Up to the time you were fired at, had you found any difficulty in getting food anywhere, or men to work for you, or anything of that kind?—Not for myself, but for the people who were employed to do my work. I was refused provision, and was obliged to send a distance for it.

2648. Do you know what being boycotted is?—Oh, yes.

2649. Were you boycotted after the time you were fired at?—Yes.

2650. And have you continued to be boycotted since?—Not now.

2651. How long did the boycotting continue?—I think for three years.

2652. Were you under police protection?—Yes.

2653. Are you still under it?—No.

2654. When did it cease?—I think about two years ago.

2655. After the firing was anything done to your land. Was any land given up to you?—Yes; there were 500 or 600 acres of land thrown up to me, and they threw down all the walls.

2656. Did you evict these tenants, or did they surrender the land to you?—They surrendered it.

2657. Was anything done to the fences upon these lands?—They threw down the fences, the people about, and put in their stock to eat it down.

2658. Have you been able to let them since?—The Land Corporation have had it for the last five years.

2659. Was there any house of yours burnt?—Two; a herd's house on one farm, and a herd's house on another farm, and they would allow no one to work for me.

2660. Did your labourers leave you?—Yes.

2661. Were you able to get any people to work for you?—Well, they sent over a lot of fellows from Liverpool to work for me, and they knew nothing about the work. They were more of a nuisance.

2662. I mean the people round about who had been in the habit of working for you before this occurrence; could you get any of them to work for you?—Oh, no, they dare not. Some of them were very shy. They said they would be sorry to leave me, but they would be obliged to do it.

2663. Did they say obliged by whom?—By the Land League.

2654. Were these men who had been a long time in your employment?—Yes; 20 years some of them, and their fathers before them.

2665. Was that the only cause they assigned for leaving?—That is the only cause they assigned for leaving.

#### Cross-examined by Mr. REID.

2666. As I understand, the origin of the dispute was the question of rent between you and some of your tenants?—Yes.

2667. Did that arise about the year 1880?—Yes.

2668. That was a year of very considerable distress, was it not?—I do not know that it was more than —

2669. 1879 at all events was a year of great distress?—I cannot recollect about 1879. I can recollect about 1881 very well.

2670. Perhaps I may recall it to you by suggesting the Duchess of Marlborough's fund and the other funds which were got up that year. Do you not remember?—1879?

2671. Do not you remember the Duchess of Marlborough's Fund and the Mansion House Fund for the relief of distress?—Oh, yes, I do; some of the tenants paid under that fund.

2672. Some of the tenants what?—Some of my tenants paid under the fund the Government gave at that time.



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JOHN LAMBERT.

[Continued.]

2673. You are not thinking of what I am thinking of. I am speaking of the charitable relief that was given in 1879 and 1880. Do not you recollect that?—If you allude to any of my tenants having got that relief, none of them ever did.

2674. I did not suggest that. I was asking you a perfectly different question, whether or not there was considerable distress in those years 1879 and 1880?—There must have been, but not in that locality that I could see.

2675. Your tenants claimed reductions of rent, I suppose?—They went into court and got reductions.

2676. But they did not go into the Court till after 1881, did they?—Yes, in 1881.

2677. I mean the Act was passed in 1881?—At the time they went into the Court.

2678. Did they get in in the first year?—Some of them.

2679. And others got in later?—Yes.

2680. Did the Court reduce the rents?—Yes.

2681. How much per cent.?—I should think 10 per cent.

2682. But surely, Mr. Lambert, you can tell me more accurately about your own property?—I speak of my own property only.

2683. Cannot you tell me more accurately than about 10 per cent.?—No; a man, I think his rent was 90l., and he was reduced to 80l. odd. Then his brother did not go into Court, and I gave him the same reduction as his brother, the same as I gave to the others.

2684. I am speaking of all round, the total reductions. Can you tell me what was the total of the reductions made by the Land Court in your case?—From 10 to 12 per cent., I think.

2685. Very well, that is your recollection. What is the name of your property?—Aggert.

2686. You, I suppose (I do not know that it is the case), did refuse any reduction until they went into the Court?—I had given reductions before that.

2687. But did you refuse any reduction upon the rent which was then subsisting, until they went into Court?—I preferred they should go into Court.

2688. In 1880, when the disagreeable feeling arose, the Land Act not been passed. Mr. Lambert, you were not looking to them going into the Court then?—I do not think they looked for any reductions till they did go into Court, as far as my recollection serves me.

2689. Then what was the origin of the dispute between you and your tenants in 1880?—Because they were not paying the rent.

2690. Did they want you to give reductions in 1880?—I cannot tell you that, but I suppose they did, because they went in 1881.

2691. Did you give them any reduction?—No.

2692. Very well. That is all I want. It is no crime not to give reductions. But now I come to ask you this. Is it not unfortunately an old crime in Ireland; an old and well known crime in Ireland to offer violence to landlords where evictions have taken place? Has not that been in past times a very fruitful cause of agrarian crime in Ireland?—To offer violence to the landlord? I beg your pardon, but I am very deaf and I cannot catch exactly what you mean. To offer violence to landlords? No, I do not know that there was any violence offered to landlords before that?

2693. You never heard of any violence being offered to landlords before 1880?—Oh, I have; but not in the way it was offered to us then; in the way we were fired at and boycotted and no one allowed to work for us.

2694. I am speaking now of the cause of agrarian crime. I want to ask you has it not been for a long time in Ireland one cause of agrarian crime when evictions took place?—Oh certainly; when evictions took place it has been the cause of a great deal of—

2695. Agrarian crime?—Certainly.

2696. And when excessive rents as the people think have been exacted?—Exacted. I cannot catch your question. I am quite willing to answer any question.

2697. I am not complaining of you. You are seeming to complain of me; but I am trying to make my question very plain. My questions are really very plain. I will try and make them plainer. Has it not been a cause of agrarian crime for a long time in Ireland that the people think that excessive rents, rackrents, have been exacted?—I should think so; but I never had any trouble with my tenants in exacting rents.



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JOHN LAMBERT.

[Continued.]

Cross-examined by Mr. LOCKWOOD.

2698. Just one question with regard to what you say took place on the 31st January 1881. You say you were shot at?—No; that is not the date.

2699. I beg your pardon. The 31st of June 1881?—The 21st of June 1881.

2700. Was that the first time you have been fired at in your life?—Yes.

2701. Do you remember in 1876 another member of your family being fired at?—There was a relation of mine fired at.

2702. Was it a brother?—No.

2703. Well, what was he?—A distant cousin.

2704. I am speaking of 1876?—He was a distant cousin.

2705. Was that in 1876?—I could not tell you the date.

2706. Was that about it?—I am not sure.

2707. Just think?—You have the date.

2708. Is it such a usual circumstance that you cannot give me any idea as to the date?—If I could I would, but I tell you I cannot.

2709. Do you think it was about 1876?—I daresay it was four or five years before I was fired at.

2710. That would be more than four or five years before you were fired at?—No, between 1876 and 1881, it would be just five years.

2711. Was it about 1876?—I tell you that I cannot be positive.

2712. Was it near Tuam?—No, near Athenry.

2713. Was this a cousin of yours, do you say?—Yes.

2714. Of the same name, Lambert?—The same name.

2715. Was that near his property that he was fired at?—It was on his lawn as I understand.

2716. The lawn of his house?—Yes.

Re-examined by Mr. ATKINSON.

2717. Up to this time did you ever know in the case of these landlords who did evict that their workmen left them?—Never.

2718. Did the workmen leave your relative's employment on the occasion that he was fired at?—I think he left the country himself at the time he was fired at.

(Mr. Lockwood.) There is one question. Did your Lordships get that. I do not want to put the question again if it has been already answered, that after this shooting at the cousin of the name of Lambert about 1876, that he left his property.

(Mr. Murphy.) Left the country.

(The President.) Left the country.

(Mr. Lockwood.) And came to reside in this country?

(The President.) Yes.

THOMAS WHITE sworn, examined by Mr. MURPHY.

2719. Do you live with your father at Ballynakill?—Yes.

2720. In consequence of something that your father said to you, some notice he had received, did you go to the League?—Yes.

2721. When was that?—In August.

2722. August in what year?—In 1886.

2723. Who was the treasurer of the League?—Lawrence Egan.

2724. Do you know whether he was any relation of the Rev. Mr. Egan of whom we have heard here?—His brother.

2725. When you went in there what was going on?—They were consulting. They had the door shut when I went there. They were talking.

2726. Do you know what business they were engaged upon?—They were talking, those who were inside. I went to the door of this place, at a place called the Old Mill. They were holding the committee there.

2727. Could you hear what business they were engaged upon?—No. I could not. I stopped away a bit. When all was over one of the committee men came out and told me that I could go in now, and I went in, and I stood inside the door, and one of the Mr. Egans asked me what was amiss. I told him that I was sent by my father to



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THOMAS WHITE.

[Continued.]

join the League, and he told me that he could not take me or my father if I did not tell my father he must keep out his daughter.

(*Mr. Lockwood.*) The witness has a paper in his hand. If he hands that to your Lordship it will be more intelligible, perhaps, than what he says. He seems to have it written out for him.

(*The President.*) Yes, that seems to be so. He has got it written out.

(*Mr. Murphy.*) You had better put that down.

(*Mr. Lockwood.*) May I have that down?

(*The President.*) Yes.

(*Mr. Murphy.*) I do not object.

(*The President.*) Mr. Lockwood is entitled to look at it.

2728. (*Mr. Murphy.*) Who wrote this paper out for you? Do you know who wrote that paper? Can you write yourself or not?—No.

2729. (*The President.*) Can you read?—I can read a little, but I am a bad writer.

2730. (*Mr. Murphy.*) Apart from the paper, tell us what occurred when you got to the League?—So they consulted then, one with the other—did the committee—and told me I should not be accepted in the League if I did not keep out my sister, who is married to —

2731. (*The President.*) What does that mean? When we get his words we want an interpreter to explain them?—The sister is married to a steward belonging to Mr. Lewis of Ballinagar.

(*Mr. Lockwood.*) I suggest my friend should call the gentleman who wrote this out for him. There is really an intelligible story.

(*The President.*) Yes, I daresay. You can deal with that as you please. We are now dealing with the witness.

(*Mr. Murphy.*) Try and say slowly what occurred.

(*The President.*) I want to know what he means. I am told he said “My sister was “with Mr. Lewis.”

2732. (*Mr. Murphy.*) What was said about your sister?—She is married to a steward of Mr. Lewis’s.

2733. What was said to you?—In consequence of Mr. Lewis I suppose being boycotted and his steward being boycotted, and a sister of mine being married, my father keeps a public-house and all the members of the League would not come there, in consequence of my sister being married.

2734. They could not take you because your sister was married to the steward of Mr. Lewis, and the steward was boycotted, and Mr. Lewis was boycotted?—Yes.

2735. And your father’s public-house was boycotted. Is that it?—Yes.

2736. What did you say to that?—I said it was too bad to have my sister boycotted in consequence of being married to Mr. Downing, and they said she should not be allowed in.

2737. (*The President.*) Allowed in where?—To my father’s house.

2738. (*Mr. Murphy.*) She was not to be allowed into your father’s house, why not?—One of the Egans told me to go home and consult with my father and come before the committee men on that day week, so I went home and told my father.

(*Mr. Murphy.*) Does it come to this, but probably this is rather leading. If objection is taken to that I must not ask you.

2739. What happened after you spoke to your father?—I did not go there since. I did not join the League since. I am boycotted up to the present time.

2740. You did not join the League?—No.

2741. You did not agree to their terms?—No.

2742. Then you did not join it, and then you were boycotted?—Yes.

2743. Were there any other members of your family boycotted?—No excepting my father and my sister, who is married to Mr. Lewis’s steward.

#### Cross-examined by Mr. REID.

2744. You say you are boycotted?—Yes.

2745. Will you just tell me what you mean by it, what your experience is, what you understand by that?—My father keeps a public-house there on the farm.

2746. You said that your father had kept a public-house for 60 years?—Up to the present, and the land, sir.



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THOMAS WHITE.

[Continued.]

2747. What was done to him?—The house was boycotted. A number of people of the parish used to resort to it.

2748. Do you mean that people do not any longer come to your father's public-house?—No.

2749. Is the public-house still open?—Yes.

2750. Does anybody come there at all?—Some.

2751. But some people do not come to the public-house that used to come before; is that it?—No, sir.

2752. So much for your father. We will leave that part of the case.

(*Mr. Justice Smith.*) He says no to that. He does not accept your version of it. He said no.

(*Mr. Lockwood.*) When he said "No," my Lord, he meant to agree, I think.

2753. (*Mr. Reid.*) Is it the case that some people still come to your father's house?—Some of the people that were boycotted.

2754. Do you mean to say that some of the people who were boycotted came to your father's house?—Yes.

2755. Is it the boycotted people who come to your father's house?—Yes.

2756. Does anybody come who is not boycotted?—No, sir.

2757. Do you know what your father was boycotted for?—In consequence of not joining the League.

2758. You say that he was boycotted for refusing to join the League?—Yes.

2759. Is he here?—No, sir; he is a feeble old man; he is not able to come.

2760. Do you know who was the person? Was he sent for at all or told this by anybody in the League. Can you give me the name—give me any means of ascertaining?—There was one man who always used to be advising me to advise my father to join the League.

2761. What was his name?—A boy of the name of Nicholas O'Donoghue.

2762. Where does he live?—He lives at Ballynakill, in the county of Galway.

2763. What is his trade or calling?—A carpenter by trade.

2764. Now, for yourself, I will come to you. You say you have been boycotted?—No, except that they do not speak to me.

2765. Have you been boycotted or not?—The house has been boycotted.

2766. Have you been boycotted or not?—Well, not in certain houses in the town that I go to. I would be boycotted only by certain houses.

2767. Do you say you are a boycotted person or not?—I am a boycotted person, because both myself and my father are boycotted.

2768. You are a boycotted person because your father is boycotted?—Yes.

2769. (*The President.*) Do you live in the same house?—Yes; myself and my father.

2770. Does your sister also?—No, she lives away.

2771. (*Mr. Reid.*) Supposing you were going to buy anything in the shop, would you be allowed to have it?—Yes, at a certain shop.

2772. Have you been refused anything anywhere?—Not in any place I ever went. I only went to those two houses.

2773. I want to ask to what extent this boycotting goes. Have you ever been refused the sale of any articles in any shop in your life?—Not since the League was started. I have not been to any house but those two.

2774. Have you ever been refused the sale of any article in any house in your life?—Me, no, sir.

2775. Tell me what other experience you have had of being boycotted. Has anyone refused to have dealings with you?—No.

2776. What is it that you have suffered?—I suffered the loss of this fair. There were four fairs during the year.

2777. Did you hold the fairs yourself?—Yes, four fairs, and now that is taken away by the League.

2778. I do not understand. There were four fairs in the year?—Yes.

2779. What profit did you get from those fairs?—I used to get about 25*l.* sellings from the public-house, from that to 30*l.*

2780. The fair was for the benefit of the country all round?—Yes.

2781. Then do you say that the League has interfered to stop that fair?—Yes, and taken it away to another place about a mile distant.

2782. Taken it to another place?—Yes.



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THOMAS WHITE.

[Continued.]

2783. Do you say that the reason of that is in order to damage your father's house?—Certainly.

2784. You say that you have been boycotted, or your experience has been what you told us, because you would not join the National League?—Yes.

2785. Who told you that?—I was told by one of the Mr. Egans, that I could go home, and I need not trouble the League from that day forth.

2786. Who told you you were boycotted because you would not join the League?—This boy O'Donoghue told me to tell my father.

2787. When?—I went down on the Saturday night to Mr. Egan, and I told Mr. Egan what my father told me to tell him. He told me he could do nothing for him, but it was to go before the committee, so I went on the Sunday following, and I went down to the committee room, and they were holding this meeting, and they had some speaking in there which I did not hear. I turned away and then went back again.

2788. You got in?—I got in, and I told them what my father told me to tell them, and they consulted one to another, and they refused to accept me and my father if we did not keep out my sister who was married to Mr. Lewis' steward.

2789. Who is Mr Egan?—He is one of the treasurers of the League.

2790. In your district?—Yes.

2791. And you say you went before the committee of the League?—Yes.

2792. Can you tell me the date, by chance?—No, I could not tell you the date.

2793. About the time?—In August.

2794. Of which year?—1886, sir.

Cross-examined by Mr. LOCKWOOD.

2795. Who wrote this out for you (*referring to the paper which had been handed in*)?—A certain man in the place.

2796. Do you object to tell me his name?—Mr. Lewis.

2797. Mr. Lewis had a steward, who had a wife, who was your sister?—Yes.

2798. Is Mr. Lewis your landlord?—No.

2799. Have you any land of your own?—I have my father's land.

2800. You farm some of your father's land?—Yes.

2801. Who is your father's landlord?—Sir Henry Burke.

2802. When did Mr. Lewis write this out for you, do you know. Did you not see him do it?—No, I did not.

2803. You did not see him do it?—No.

2804. After he had written it out for you, did he send it to you?—Yes.

2805. Telling you that that was your evidence?—Yes.

2806. Then could you read it, or did you get some one to read it over to you?—I could read it.

2807. You can read it?—Yes. I could not speak it properly, but I could read it.

2808. But had you tried to read it?—Yes.

2809. You have read it?—Yes.

2810. And after Mr. Lewis sent it to you and you read it, then you knew what your evidence was to be?—Yes.

2811. Had you asked Mr. Lewis to write out your evidence for you, or did he do it without asking?—Yes, sir.

2812. Well, I do not quite know which you mean. Do you mean both?—He wrote it for me and told me that was my evidence.

2813. Then he wrote it for you without your asking him, you never asked him to do it?—That is my evidence.

2814. You never asked Mr. Lewis to do it. You never asked Mr. Lewis to write out your evidence for you?—Not that.

2815. He did it without your asking him, did he not?—Yes.

2816. How came it that Mr. Lewis knew your evidence better than you do yourself?—That is the evidence I gave, sir.

2817. (*The President.*) To whom did you give it; you say that that is your evidence?—To Mr. Lewis.

2818. (*Mr. Lockwood.*) What is the name of the rival public-house?—Ballynakill.

2819. What is the name of the public-house?—Thomas White, Ballynakill.

2820. That is your public?—Yes.



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THOMAS WHITE.

[Continued.]

2821. Is there only one there?—That is all.

2822. What is to happen to the people, then, when one public house is boycotted, are they all to become temperance people?—They must change to some other side from us, go to some other public house that is in the National League.

2823. Where is that?—There is one at the Curragh.

2824. How far off is that?—About two miles away.

2825. Is that near where the fair is held now?—Between the two public-houses.

Re-examined by Mr. MURPHY.

2826. Who is Mr. Lewis, whom you say you gave your evidence to?—Mr. Lewis, of Ballyngary.

2827. Is that the gentleman you have seen here to-day?—Yes, sir.

2828. You mean the gentleman who was examined just now?—No.

2829. Where is the Mr. Lewis to whom you gave your evidence?—He is at home.

2830. In Galway?—In Galway.

2831. (*Mr. Lockwood.*) I was not suggesting it was the same man. In fact, it did not strike me. I hope I did not convey the inference that it was, because it never occurred to me.

(*The President.*) Oh, no.

2832. (*Mr. Murphy.*) You say there were two shops to which you went. Why did you not go to other shops?—Well, I did not like to go.

2833. Why did you not like to go?—In consequence of being boycotted; I did not like to go for fear of being refused.

2834. Were these two shops boycotted shops that you went to?—Well, I suppose they were.

2835. You have spoken about Mr. Egan. Do you remember what his first name was?—Lawrence Egan.

2836. You say you gave your evidence to Mr. Lewis and that he read this over to you. Is whatever is in this paper true?—Whatever is in that paper is true.

2837. It was written by him after you had given him your account?—Yes.

2838. And whatever is in that paper is true?—Yes.

(*Mr. Murphy.*) I do not know whether your Lordship thinks my friend has made this paper evidence or not.

(*The President.*) No, all that it is important for is as to whether or not he had told Mr. Lewis that, or whether Mr. Lewis had written it down.

(*Mr. Lockwood.*) The only consideration which appears to me to arise upon this, is that I should have no right, nor would anybody else have a right, to comment upon the fact that it was thought necessary by someone to render this into writing.

(*The President.*) You must remember that we all of us have a large experience of witnesses in different grades of life, and we all know that it is customary to take their statements before they come into court.

(*Mr. Lockwood.*) I must not be taken to suggest that any person has written out of his imagination a story for this man to tell.

(*Mr. Murphy.*) Nothing can be fairer. It was competent for my friend to cross-examine upon it. That is all I ask.

Sergeant BARTHOLOMEW COURSEY sworn, examined by Mr. RONAN.

2839. I believe you were in Woodford on two occasions?—Yes.

2840. The last time you were there was in December 1883?—Yes, 1884.

2841. Do you remember a meeting of Sir Henry Burke's at the house of a man named James Noone?—Yes.

2842. Did you ever see a Father Coen and a Father Egan go into the house?—Yes, with some tenants.

2843. After some time did Father Coen come out and speak?—Yes.

2844. Do you remember the substance of what he said?—He said he had to announce the result of the meeting with Sir Henry Burke to the people, and he said that he offered a reduction of 15 per cent. to all except the Woodford town tenants.



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BARTHOLOMEW COURSEY.

[Continued.]

2845. Did he say what the tenants were to do?—No; he at that time said that he also informed them—the agent did—that processes would be served; he looked round to the direction in which a man named Finnerty stood, and said no process server would be likely to serve them, would be got to serve them.

2846. Did Father Egan speak then?—Father Egan said it was now for the people to say whether they would let Sir Henry Burke have his way or the people have their way.

2847. At the end of December did you go yourself with Finlay to serve the processes?—Yes, part of the way the first day, and the whole the second day.

2848. You went with him to serve the processes?—Yes, part of the way the first day and the whole way the second.

2849. The first day the processes were served, was there a meeting that evening?—Yes, there was a meeting got up.

2850. Where was that meeting held?—At the door of the band room at Woodford, which was also the National League hall.

2851. The end of December, this is, in 1885?—Yes, I went there in 1884.

2852. And did you hear Father Coen say anything at that meeting?—No, Father Coen was not at all at that meeting. Father Egan and John Roche.

2853. What did you hear them say?—Father Egan said they need not be uneasy about the processes served that day; he said the persons who were there that day protecting Finlay would soon be done away with.

2854. Did he say anything about the police?—He meant the police. He said the police would soon be done away with.

2855. Did Mr. John Roche say anything then?—Yes, he made a speech also, and said they need not be uneasy about the processes that were served, and said that the police also would soon be done away with, and they would have the appointment of their own police.

2856. Was Finlay known by any nickname in the place?—Yes, as Balaclava.

2857. He was an old soldier, I believe?—Yes.

2858. Was anything said about him by the nickname of Balaclava?—Mr. Roche said they had their Balaclava to-day, but we will have our Fontenay on another day.

2859. When he said that, was there any expression made on the part of the people?—There were groans for Balaclava.

2860. Now kindly look at that photograph. Do you see the man sitting in the middle of the group there?—Yes.

2861. Is that Mr. John Roche you have spoken of?—It is.

2862. Who is that sitting on his right hand side?—Father Egan.

2863. And his left hand side?—Father Coen.

2864. Was Roche the reputed president of the Land League?—Of the Tenant's Defence Association.

2865. It was called that?—Yes.

2866. Who was the treasurer?—The treasurer of the League at the time, as far as I know, was Mr. Carey.

2867. Is he in the photograph?—Yes, he is.

2868. You see a man there holding a small bottle in his hand?—Yes.

2869. Who was that man?—He is a man named Tully, who goes by the name of Doctor.

2870. What is Tully by trade?—He is a boat builder.

2871. What is he called?—He is called Dr. Tully.

2872. Do you remember the 5th of February 1886?—Yes.

2873. Do you remember seeing John Roche go from his own house towards Father Egan's?—Yes.

2874. After that did you hear any bell rung?—Yes. I heard the chapel bell rung.

2875. What hour was this?—Between 8 and 9 o'clock in the morning.

2876. Who was ringing?—I think a man named Rafferty.

2877. Did you see the brass band assembling in the streets then?—Some members of it, and some of them got mounted on horses, and went with their instruments to the different roads leading to the town.

2878. Did you see the deputy sheriff come?—Yes.



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BARTHOLOMEW COURSEY.

[Continued.]

2879. Did you accompany the sheriff for the purpose of carrying out some evictions that day?—Yes.

2880. Was there resistance?—Yes, there was.

2881. Describe the character of the resistance?—The first house we went to was the house of Stephen Walsh, in the town. All the doors were barred and closed up, and the bailiffs were forced to break a small portion of the door, and after that Father Egan came forward and knocked at the door, and said something, and the door was opened, and I saw the sheriff and others enter the house and put out some goods.

2882. And about how many people were there there that day?—100, and all in the town.

2883. Was Finlay there that day?—No.

2884. What house did you go to next?—The house of a man named Francis Farrell.

2885. What took place there?—There was some resistance also. Some water thrown on the police.

2886. Hot water?—Yes; and a crowbar was thrown through the door.

2887. Was there a bailiff named Carroll there?—Yes, there was.

2888. Did that bailiff do anything in particular?—He was in my charge when the door was broken, and in going in to take possession of the door, Father Coen met him and said he was ashamed of him.

2889. Did Carroll go on with his work?—He took up possession of that house.

2890. What was the next house?—John McCabe's.

2891. What did Carroll do then?—When we went into the yard the doors were tried, and they were found to be secured from the inside; and after a short time Carroll refused to take any more possessions on the part of the landlord.

2892. He refused to take any further for the landlord?—Yes.

2893. What did the people do then?—They took him on their shoulders and carried him away.

2894. In triumph?—Yes, in triumph.

2895. Did you hear Tully speak there?—He spoke at Farrell's house; but I did not hear what he said, where the eviction was being carried out.

2896. On the following Sunday was there a meeting at Woodford?—There was.

2897. Where was that held?—In the garden at the back of the band room, which was the property of Mr. Carey.

2898. Where were you?—I was in the barrack.

2899. Were you able to hear something of what passed?—Yes.

2900. Tell their Lordships what you heard?—I might say first, I would not be admitted to the garden, I asked permission, too.

2901. (*Mr. Reid.*) I should like to ask first, whether this was a Land League meeting at all; was this a Land League meeting?—The committee met weekly.

2902. What committee?—The committee of the League; the Woodford National League meeting, and there was also a branch of the Woodford Tenants' Defence Association.

2903. The meeting you are about to speak of, was it a meeting of the Tenants' Association, or was it a meeting of the National League?—They are both combined. Mr. Roche is president.

2904. Do you mean to say there is no difference between the two?—There are a number of members of both, and there is a committee.

2905. Was this a meeting of the one or the other?—I cannot say which.

(*Mr. Reid.*) I submit this is not evidence.

(*The President.*) But if they are the same persons——

(*Mr. Reid.*) Not all the same persons, my Lord.

(*The President.*) I did not mean all?—All the same persons were there.

(*Mr. Reid.*) Your Lordship having ruled a principle, of course I do not at all say a word about that. It is ruled that it is evidence at the present stage, properly admissible against these gentlemen. What has taken place at the meetings of the National League whereof they are members. But it is rather further to say that because some of the members of the Land League are members of another association, that anything that took place at the other association is to be held admissible against them.



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[Continued.]

(*The President.*) That is argument which we shall not fail to take notice of, but I do not think we can exclude the evidence, if, as he states, there were prominent persons, members of the Land League, who were speaking at that meeting.

(*Mr. Ronan.*) One of the charges is associating with persons who are named.

2906. (*The President.*) Tully is one name which we have got. Did you say that Tully was at this meeting?—He was, and spoke there.

2907. Who else?—Father Egan was there; Father Coen was there; Patrick Carey, Michael Sheehan, John Roche, and the other members and usual persons attending these meetings.

2908. And these members of the National League?—They were, my Lord, at that time.

2909. (*Mr. Ronan.*) What did Tully say?—He referred to Farrell, the man who had been evicted a few days previously, as a hero, and said that if they wished to gain their object they should all do as he had done, and all require to be in front.

2910. Did he say anything about "Mary Anns"?—He said if there were any old Mary Anns coming to the barracks with news, that if any person told him to give them a dose of his medicine, that he only administered it in doses that persons could bear; and he also said if there were any men at work for landlords they were worse than boteen boys.

2911. What are boteen boys?—Men that accompany prostitutes.

2912. Now, on the 3rd March, did you see the body of Finlay in Dalcross Wood?—Yes.

2913. In what state was the body—what were the marks upon it?—There were a great many marks on the chest, and blood was on the clothes, and the lower jaw was smashed.

2914. (*The President.*) Were they bullet wounds?—A bullet wound in the right jaw.

2915. (*Mr. Ronan.*) How many of these shots had he in him?—I could not say. When I saw the body stripped I saw a lot of marks on the chest. His own revolver (I understood it was his) was lying beside him with one chamber discharged.

2916. Was the body brought into Woodford the next day?—Yes.

2917. As the body was brought over the bridge, did the people make any demonstration; what was their demeanour?—There were some groans, some hissing and groans, as it was passing over the bridge.

2918. Did the widow live in Woodford?—Yes.

2919. Was she boycotted after this?—And partly before.

2920. Now, the night of the murder, were you with Mrs. Finlay?—Yes.

2921. Was she able to get food, fire, or light in the town?—No.

2922. Did you get her food, fire, and light yourself?—I got her fire and light.

2923. Tell his Lordship about food, what you had to do?—After we went that night, after that, I bought her food from a person in the town, and occasionally got it for her very late in the night, and also on several occasions when cars and policemen were going to other towns they brought her provisions.

2924. Cars and policemen going to other towns?—Coming from other towns.

2925. That night did you make any effort to get a coffin for Finlay?—No, the next day.

2926. Who did you go to?—To Mr. Carey first.

2927. He is a timber merchant?—He is a general merchant.

2928. That is the treasurer of the League?—Yes.

(*The President.*) First of all, timber merchant does not mean an undertaker.

2929. (*Mr. Ronan.*) Is there a regular undertaker in the place?—No, he supplied the material for making the coffin.

2930. He does do so?—Yes.

2931. Did you ask him to have a coffin made for Finlay?—I did.

2932. What did he say?—He said he could not, but he directed me to a man named Pearce, whom he said made coffins.

2933. Did you go to Pearce?—I did.

2934. Did Pearce make the coffin for you?—No, he refused. He said the timber he had was too fresh, he could not make it.

2935. Did you go to Father Coen and Father Egan, to get a coffin for the murdered man?—Yes, acting on——

2936. You did go to them?—Yes.



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BARTHOLOMEW COURSEY.

[Continued.]

2937. What took place between you and them?—The first time I saw Father Egan he was not prepared to give me an answer. He told me to wait until after Father Coen came, and on the second occasion, I called again, and I was received in Father Egan's room.

2938. What did you tell them then?—I told them, I had been directed by my authorities to wait upon them, to get assistance for the burial of Finlay, such as getting a coffin.

2939. What did they say?—Father Coen said the authorities deserved very little consideration from him, as he had requested that I should be removed from the place previously.

2940. Did they give you any assistance towards getting the coffin?—No, he also said that it was rumoured among the people that we shot Finlay ourselves as we were tired of minding him. He said he would not be surprised if the Marble Hall family buried him, Lady Mary Burke, as he had done work for them.

2941. It was for the Burke family, the processes were served?—Yes.

2942. Did the policemen ultimately get a coffin from Loughrea?—Yes.

2943. How far is that off?—Thirteen English miles.

2944. As the coffin was being brought into the town by the police, did the people assemble?—I cannot say that.

2945. Did you see any turf being brought down to Mrs. Finlay?—Yes; I saw a boy bringing a load of turf, a boy of Sir Henry Burke's.

2946. Was there anything done to the boy?—He was groaned at by the men.

2947. Did you see Mr. Lewis bring anything?—He brought a load of timber.

2948. Who led the horses?—Himself.

2949. After Finlay was buried, how many people went to his funeral?—Nobody but the police. His brother went a short distance, but did not go out of the town.

2950. His own brother?—Yes.

2951. After this did the people associate with Mrs. Finlay while you were there?—Only three or four persons.

2952. Who were they?—A sister-in-law, a girl named Hannery, and I saw another boy and girl, whose names I do not remember, in the house.

2953. Now, you know the spot where Finlay was murdered?—Yes.

2954. Some short time afterwards, did you see a procession going from Woodford in the direction of that place?—I only saw it passing the barracks.

2955. What did that procession consist of when you saw it?—It seemed to be a mock funeral, as far as I could see from the barrack door, there was a coffin carried and a large number of men with spades upon their shoulders.

2956. About how many people?—I should say about 200 people.

2957. About how long was that after the murder?—Sometime. I do not know exactly.

2958. Did you know a man named John Dwyer?—Yes.

2959. Was he boycotted?—Yes.

2960. For what?—He supplied the cars to the police some time previous to the service of the process.

2961. Did he take Finlay; did he take him anywhere?—He took Finlay to prove the service of the processes.

Cross-examined by Mr. R. T. REID.

2962. You spoke of a meeting you attended in December 1885?—Yes.

2963. At which Father Egan and Mr. Roche spoke?—I did not attend it, I only saw it from a distance, I was not present.

2964. (*The President.*) I understood that was December 1884?

(*Mr. Reid.*) No; he began in the first instance by speaking of a speech in 1884?

(*Witness.*) On my arrival in Woodford in 1884.

2965. After that you spoke of a meeting in December 1885?—Yes.

2966. You told us some things that were said at that meeting?—Yes.

(*Mr. Reid.*) It was December 1885 your Lordship will see; the Balaclava meeting? I think.



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[Continued.]

(*The President.*) Yes, he began by saying it was 1884. I only want to get it right.

2967. (*Mr. Reid.*) I think really the first date ought to be 1885 also?—No, I only arrived at the station in December 1884.

2968. What I am now speaking of is the meeting of December 1885?—Yes.

2969. When Father Egan spoke and Mr. John Roche. Were you present?—I was.

2970. You could hear all that was said?—Yes.

2971. Did you take any notes?—No.

2972. Did you make any report at the time?—Well, I did. There was a sergeant present who took notes, long-hand notes.

2973. What is his name?—Kegan.

2974. Have you seen him, is he here?—Yes.

2975. Now I will ask you about your recollection. You said Father Egan said that the persons protecting Finlay would soon be done away with. Did you understand him to refer to the police?—Yes.

2976. And did you from the context of what he said understand him to mean that in a short time there would be a change in the government of the country?—Yes.

2977. You did not understand that they were going to be murdered?—No, certainly not.

2978. Then again you have told us about Balaclava, and “we will have our Fontenoy another day.” You say that was said by Mr. Roche?—Yes.

2979. Was this meeting a meeting of the Tenants’ Defence Association?—No, it was a meeting which was got up, the majority of the persons were persons from the town who were not tenant farmers at all.

2980. Then how was it got up?—There were some persons about the town after the police left and went away to their stations after the day’s proceedings, and the first thing I noticed was some persons moving about the town, and in a very short time a small crowd assembled at that place.

2981. There had been some evictions that day?—Process serving.

2982. And thereupon after it a meeting gathered?—Yes.

2983. Spontaneously, so to speak?—Yes, indeed.

2984. It did not seem to have been called together by anybody in particular or for any particular purpose?—No.

2985. A meeting of the people who happened to be in the town at the time of the evictions?—Yes.

2986. There was a Tenants’ Defence Association, was there not?—There was one at that time.

2987. Was not that association a perfectly different thing from the National League?—It was.

2988. It was for the purpose of dealing with, I believe, Lord Clanricarde?—And some other landlords in that neighbourhood.

2989. Particularly Lord Clanricarde?—Well, at that time, they were engaged with Sir Henry Burke.

2990. In point of fact, is it the case that in that neighbourhood there was again very great distress in 1885?—Not in 1885.

2991. The end of 1885?—No, I did not notice any great distress at the end of 1885.

2992. Perhaps I am dating it a little earlier. It may have been in 1886, but there was a very large fall in prices, was there not?—In cattle there was.

2993. And in other produce, surely?—I did not notice that.

2994. And was not there a great deal of distress in that neighbourhood?—I did not notice it.

2995. In 1885 and 1886?—No.

2996. You say there has been none since 1880?—I have not witnessed any in that part since 1880.

2997. You are speaking of the Woodford part?—Yes.

2998. Now the other meeting you speak of was a meeting of December 1886, at which you say you were not present, but you heard some things which were said?—Yes.

2999. Was that a meeting held by a committee of the Defence Association?—They were usually weekly meetings of both Leagues combined. I do not know what time they turned one into the other.



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BARTHOLOMEY COURSEY.

[Continued.]

3000. At all events was this one of the weekly meetings?—Yes, the Sunday meeting.

3001. And you say you were in the barracks?—Yes.

3002. You say you heard what took place?—Only some of it.

3003. How far off was it?—About forty yards.

3004. You were sitting in the barracks?—No, at the window upstairs.

3005. Did this speaking take place in the room?—No, out in the small garden.

3006. You recognised the voices?—Oh. I could see the faces.

3007. You could see the faces and see the people who were speaking?—Yes.

3008. Did you take any notes at that time?—No.

3009. Did you make any report at that time?—I usually made a general report.

3010. But no report dealing with the substance of these speeches?—Not specially.

3011. When did you first make an entry of the sentences you say you heard?—I made no entry of it until I went to Dublin, except the reports I made.

3012. We will leave the reports out for a moment; except the reports you made did you make any entry until you went to Dublin?—No.

3013. How long was that, when was that?—I think it was March; early in the year.

3014. March of 1888?—I cannot say; it was in March.

3015. Did you see the reports you had made between December 1886 and the time when you made the entry in Dublin?—No.

3016. Therefore your entry in Dublin was entirely from memory?—Yes, I was told to write out what I knew about the place.

3017. As I understand you did not hear very distinctly; you did not hear all that was said by any means?—No, certainly not.

3018. You only heard disjointed sentences?—That is all.

3019. Who told you to write out what you heard in Dublin?—Mr. Joyce.

3020. That was on the trial of —?—Blunt *v.* Byrne.

3021. Is he a resident magistrate?—He is.

3022. Is he here?—He is.

3023. Am I to understand he told you to write down these things?—To put them on paper; what I remembered clearly.

3024. When you put them on paper did you give them to him?—I do not think I exactly gave them to him.

3025. Who took your evidence, may I ask?

(*Sir Henry James.*) Do you mean in this case or in Blunt *v.* Byrne?—In this case the evidence appears to be the same as I gave in Blunt *v.* Byrne.

3026. (*Mr. R. T. Reid.*) Who took your proof in Blunt *v.* Byrne?—Mr. Joyce; he told me to write it out; he did not interfere with me in any way, any more than telling me to write it out.

3027. You are answering a little more than I meant to ask. Who took your proof?—If you mean taking my evidence I wrote it out myself.

3028. For whom, and at whose request?—At Mr. Joyce's request, and some I have not had time to write.

3029. Who did you hand it to when it was done?—I think Sergeant Doyle took it. I left it; it was in the room. I do not know what occurred to it afterwards; I do not know who took it afterwards.

3030. I want to ask you about this murder of Finlay. You say you asked Carey to make a coffin?—To get one made.

3031. Had you ever heard of his making a coffin in your life?—I did not see a coffin leaving his yard.

3032. You never did?—No, but I saw the materials.

3033. Who told you to go to Carey?—I was directed by my authorities.

3034. Did you go to Carey?—To look; I went to the relieving officer as well.

3035. Why did not the relieving officer give you a coffin?—I do not know; he told me he could not give me one.

3036. It was not Carey's business to provide coffins?—Certainly not.

3037. After that you went to Father Egan?—Yes, when I failed.

3038. What had Father Egan got to do with giving the coffin?—I asked for assistance with regard to the burial of him.



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BARTHTLOMEW COURSEY.

[Continued.]

3039. Was that about the coffin?—All included; there was a difficulty about getting him buried at all, because the people objected to him being buried in the family burying ground.

3040. Surely that difficulty only turned out on the day of the burial?—It did the day previously.

3041. Not on the occasion you went to Father Egan about the coffin; you went to Father Egan's about the coffin alone first?—I went to him in general to get assistance.

3042. Who told you to go to Father Egan to get the coffin?—Some of my authorities.

3043. Is it customary in Ireland to go to the parish priest for a thing of this kind?—It is a very unusual thing.

(*The President.*) He said he had been to Carey and then to a man named Pearce.

3044. (*Mr. Reid.*) Who is Pearce—is he anything to do with the National Land League?—He attended the meetings, but I could not say whether he had anything to do with it.

3045. Did not the priest read the service?—Neither of the Woodford priests read the service.

3046. Did the priest of the parish where the burial took place?—Father Calligly did, I was informed.

3047. That is the parish where the burial took place?—Yes.

3048. Is not it the usual thing?—I am not aware.

Re-examined by Sir HENRY JAMES.

3049. Neither of these two priests whose names you have mentioned read the service?—No, but I believe Father Coen took some steps for Father Calligly.

3050. Is this land at Woodford good rich land?—It is not; it is poor mountain land, the principal nature of it about Woodford.

3051. This land that you have spoken of where the distress extends, is that rich good land?—It is mountain land.

3052. Is it, as far as you know, a fact that there was distress in 1880?—Perfectly.

3053. You were examined in *Blunt v. Byrne*?—Yes.

3054. Who was Mr. Byrne?—The divisional magistrate.

3055. The action was brought against him?—Yes.

3056. At that time you made your statement to Mr. Joyce; what was Mr. Joyce?—He was resident magistrate.

3057. At the time you made your statement?—Yes.

3058. Did you at that trial mention what you have mentioned to their Lordships to-day as to these speeches?—Yes.

3059. At that trial was anyone of the persons whose names you mentioned called to contradict you?—No, Mr. Roche was sitting beneath me at that trial.

3060. In court?—Yes.

3061. Only one word about this poor man's coffin—there is no undertaker, I believe, in Woodford at all—no man who carries on the business of an undertaker?—Not specially.

3062. I suppose the timber is supplied and coffins are made as you can get them made?—Yes.

3063. When you went to Mr. Carey did you ask for timber or for a coffin?—I asked him if he would be so good as to get a coffin made.

3064. He does sell timber?—Yes.

3065. Have you known him sell timber for the purpose of coffins being made?—Yes, I have seen it leave his yard on several occasions.

3066. And you went to Pearce, and Pearce would not assist you?—Yes.

3067. And you have told his Lordship what occurred with the clergymen?—Yes.

(Adjourned to to-morrow at 10.30.)



“Uncorrected Proof.”

SPECIAL COMMISSION ACT, 1888.

ROYAL COURTS OF JUSTICE,

PROBATE COURT No. 1,

Wednesday, 7th November 1888.

(*Sir H. James.*) My Lords, will you allow me to mention a practical matter in relation to the course of the proceedings to-day. We propose proceeding calling the witnesses, as we did yesterday, in relation to certain outrages, but in some cases, although every effort has been made since the Commission was opened to serve the witnesses in Ireland, those who have the conduct of the case, and who are instructing myself and my friends cannot procure the attendance of all the witnesses in all the cases at the same time. Of course it is very desirable, for many reasons, that the witnesses should not be brought from their homes and kept here longer than necessary, and the difficulty in bringing the witnesses here in such cases consecutively in point of time and point of place with some sequence, has been aggravated by the weather in the Irish Channel during the last two nights, which has prevented, as I am instructed, some of the witnesses from appearing. The consequence is that when we come to some of the cases we may not be able to complete each case in its entirety. We shall have to call the witnesses on a subsequent date to fill it in. Would your Lordships allow me to suggest, when we come to those cases which we do not complete, to allow us to mention that case so that the witnesses can be called hereafter. Perhaps we can earmark the case by number or letter, so that when we come to further witnesses we shall be able to know at once to which case it refers.

(*The President.*) Very well.

WILLIAM BEATTIE sworn, examined by Mr. RONAN.

3068. Were you on duty at Woodford on the afternoon of the 3rd March 1886?—  
Yes.

3069. Did you see Mrs. Finlay standing at her own door?—I did.

3070. What was she doing?—She was wringing her hands, and looking anxiously towards the direction in which her husband went for timber during the day.

3071. Was it then known that the murder had been committed?—The people were going about the village looking over to Mrs. Finlay, jeering and laughing.

3072. Did you see her go anywhere else?—She went in the direction of the bridge.

3073. Did you see her go to anybody's house after that?—Yes.

3074. What house?—Father Egan's house.

3075. What did she do opposite the house?—She knelt down opposite Father Egan's house.

3076. In the street?—In the street.

3077. Did she say anything?—Yes.

3078. What did she say?—She said that the curse of God might rest on Father Egan; that he was the cause of her husband's murder.

3079. Did anyone do anything to her while she was kneeling in the street?—Yes; a man who was passing by attempted to kick her; made an effort to kick her.

(*Sir C. Russell.*) I do not ask anything.

(*Mr. Lockwood.*) I do not.

3080. (*The President.*) I want your position. What are you?—Constable.

HUGH McNALLY sworn, examined by Mr. RONAN.

3081. Are you a constable in the Irish Constabulary?—Yes.

3082. Do you remember the 5th March 1886?—I do.



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HUGH McNALLY.

[Continued.]

3083. Were you going from Loughrea to Woodford on that day?—I was.
3084. What duty were you on?—I was escorting a coffin for the deceased man Finlay.
3085. Where did you get the coffin?—In Loughrea.
3086. That is about 13 miles from Woodford?—About that.
3087. Do you know a place called Clonbrack?—I do.
3088. Is that about half way between Loughrea and Woodford?—Yes.
3089. Did you meet a funeral coming from Woodford then?—I did. From the direction of Woodford.
3090. What took place when you passed that funeral?—They stopped on the road, and we stopped our car too, which conveyed the coffin. They commenced to groan and jeer us, and one of the party shouted "Balaclava"; others shouted, "look at the devil's coffin." Some others said, "Well may he wear it."
- (*Sir C. Russell.*) I do not ask anything.

Acting Sergeant PALK GIBBONS sworn, examined by Mr. RONAN.

3091. Do you remember the 20th May 1886?—I do.
3092. Did you see a crowd of persons passing through Woodford?—I did. It was about 11½ o'clock on that day I saw a procession of about 500 coming to Woodford. They were armed with spades.
3093. Describe the procession to their Lordships?—Armed with spades and headed by the Woodford brass band.
3094. (*Sir C. Russell.*) Armed with what?—Spades, except some people who appeared to be in charge of the procession. They carried a coffin, which was supported by sticks or pitchforks, and raised over the people's heads.
3095. (*Mr. Ronan.*) Can you tell me the names of anyone who was there?—I saw Patrick Macdermott there, and Francis Tully.
3096. That is the doctor?—Yes.
3097. With the procession?—Yes, they appeared to be in command of it.
3098. Was there anything on the coffin?—Yes; there was a goat's skin left on the head of the coffin, the horns of which projected towards the head of the coffin. The coffin appeared to be covered with black crape, and there was an inscription on one side of the coffin.
3099. What was the inscription?—"Down with Orange free masonry."
3100. Did you see where they went?—I did.
3101. Where did they go?—I went with them through the town towards Bark Hill. They went in the direction of the scene of Finlay's murder.
3102. That is near Derry-Craig Wood?—Near Derry-Craig Wood.
3103. Were you there afterwards at the place?—I went after the procession towards Bark Hill huts. That is about 500 or 600 yards from the scene of the murder, and I saw then a large crowd close to the scene of the murder.
3104. When they had left did you see anything on the ground there?—No, I did not go there.
3105. Did you see some of the same persons in the town of Woodford in the evening?—Yes, in the evening I saw about 200 of them in Mr. Carey's field, and I saw Francis Tully on a platform, and he appeared to be dividing porter among them.
3106. Mr. Carey is either the treasurer or the secretary of the League
- (*Sir C. Russell.*) Well, I do not know.
- (*Mr. Ronan.*) There is no doubt about that; it was proved yesterday.
- (*Sir C. Russell.*) I do not think so, I do not know how the fact is. You had better not assume it.
3107. (*Mr. Ronan.*) Was the field adjoining Carey's house?—Not adjoining the house, but it is close to his house.
3108. Did you see them having refreshments there?—Yes.
- (*Sir C. Russell.*) I do not ask anything.



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ANNIE BLAQUIARE.

Mrs. ANNIE BLAQUIARE sworn, examined by Mr. MURPHY.

3109. Are you the widow of the late Henry Blaquiare?—Yes.

3110. Was he a large landowner and farmer in the county of Galway?—Yes.

3111. Was he also a poor law guardian there?—He was.

3112. Did he often act as chairman of the board of guardians?—Occasionally.

3113. Of course, you do not know what occurred at the board of guardians, to which I shall have to allude afterwards; but do you remember the 15th of November 1881—anything happening at your house?—On the evening, after 7 o'clock, we were fired into—two shots were fired into the hall door.

3114. You were going downstairs, I think?—I was coming downstairs just into the hall, and a shot was fired, and I thought it came under my feet.

3115. Was your husband there?—My husband was in the dining room.

3116. I believe your husband went upstairs to get some firearms?—Yes, and he fired a shot out.

3117. Did he subsequently go out to see if anyone could be found?—Yes, he went down the road.

3118. Nobody was found, and nobody was ever brought to justice?—No.

3119. Did the shots leave their mark on the door, or not?—One went right through the door and down the hall, and put 15 holes through coats which were on the hat stand.

3120. That was the 15th of November 1881?—Yes.

3121. In the early part of January did your husband, in his capacity of magistrate—I think he was a magistrate also?—Yes.

3122. Did he have occasion to go out in charge of the military and police?—Yes, he had.

3123. And shortly after that were there notices posted up, of which this was one—*(the same was produced)*. Before I put this in, do you know what your husband went out to do, on the day he went out with the military and police?—To prevent a Land League hunt going through Loughcontre, Lord Perth's place.3124. This notice was found posted, was it?—Yes. *(The document was put in and read, and was as follows)*—

## “ TAKE NOTICE.

“ That Henry Blackquire is boycotted from this day forward for his treacherous conduct at the Gort Union in opposing a resolution condemnatory of the Government in arresting our leader, Parnell; secondly, in appearing at the head of the British soldiers and peelers at Loughcontre, to prevent a Land League hunt, when he defiantly expressed himself: If the people did not disperse before five minutes, that he would have them shot down like dogs. Boycott him! Boycott him!

(Signed) CAPTAIN MOONLIGHT.

“ P.S.—If anyone is so base after hearing or reading of this notice, to work for him or keep his company, he shall die the death of a traitor.

C.M.”

3125. After that notice did your workpeople stay with you or not?—They left us.

3126. Even your domestic servants, did they stay with you or not?—We had a nurse who left.

3127. You had a nurse, I think, attending an infant?—An infant.

3128. Left without notice, I think?—Without notice.

3129. You had no quarrel with her?—No.

3130. When you went out driving, with or without your husband, what was the conduct of the people towards you?—We were hissed, groaned at, and whistled at, and called “Harvey Duff.”

3131. When you wanted to get your horses shod, what did you have to do?—The smith who usually shod them refused to do so, and we were obliged to send them five miles off.

3132. Was there a man named Patrick Conurrs working for you about this time?—Yes.

3133. Was anything done to his house to your knowledge?—It was fired into.



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ANNIE BLAQUIARE.

[Continued.]

3134. Did you see the house after it had been fired into or not?—I did not see it because it was about a mile away from us.

3135. Did he stop away after that?—My husband gave him leave to remain away for a week.

3136. Were there, to your knowledge, Land League branches in that neighbourhood?—Yes.

3137. At the time of these outrages?—Yes.

3138. Your husband, I think, died in August 1885?—Yes.

3139. Between 1882 and 1885 was the annoyance as great as it had been before, or not?—Well, I consider that it hastened his death. He had disease of the heart, and the annoyance he got from 1881 up to the time of his death, accelerated his death.

3140. That is another matter, but was the annoyance as great between 1882 and 1885 as it had been before?—Not so much as it was in 1881.

3141. Your husband died in 1885?—Yes.

3142. Did you continue to farm?—I did.

3143. And did you take some winterage?—Yes.

3144. Was anything done to some of your cattle about this time, after you had this winterage?—The tails of three of them were cut off.

(*The President.*) I do not know what "winterage" means.

3145. (*Mr. Murphy.*) Explain to his Lordship what it means?—Winterage means taking a place for six months—the winter months.

3146. (*The President.*) Does it mean taking other people's cattle, or you putting your own cattle on the land?—Putting my own cattle on.

3147. (*Mr. Murphy.*) This land, which you took, you put your own cattle?—Yes, I took it from a man named White, of Limerick, a solicitor.

3148. Do you know what the previous history of this land was?—It was let from time to time to different people. The same people did not hold the land two years running.

3149. At all events you put your cattle on there?—Yes.

3150. How long had the cattle been on before their tails were cut off?—Within a week or 10 days—anyhow within 15 days.

3151. Between 1882 and 1885 had the Land League branches been kept up or not, so far as you know?—I do not know.

3152. In 1885, at all events, were they at work?—In some places about.

3153. Near to you or not?—Well, I am not sure.

3154. The police will tell us more about that. In addition to the tails of the cattle being cut off, was there anything done to the walls?—The walls were knocked down.

3155. The walls round this winterage?—The walls round this winterage, and when I would build them up one day, they were knocked down the next day.

3156. Had you any dispute with any of the people that you can connect in any way with these outrages?—No, no dispute.

3157. Had you a herd in your employment?—Yes.

3158. Had you any notice about him?—I had one herd.

3159. Had you some notice about this herd?—Yes, there were notices that I should get rid of him.

(*Sir C. Russell.*) Where are the notices?

3160. (*Mr. Murphy.*) Have you got these notices now?—The authorities have, I believe.

3161. Did you give them to the police?—Yes, Sergeant Horne, I think.

3162. How many notices were there?—I got one threatening letter to get rid of him, and there were some notices thrown outside my gate—I found two.

3163. What was the name of this herd?—John Heavey.

3164. Did that man have to get police protection?—Yes.

3165. Later still than this date, after the cattles' tails had been cut off, and so on, do you remember coming home one evening and anything happening to you?—I was coming home from Gort, and the man on the car spat at me.

3166. Can you give us the date at all when this happened. How soon after the incident about the walls and the cows?—Well, within a month.

3167. On another occasion do you remember anything being done with a stone to you?—Yes, I was coming home late in the evening and there was a stone thrown across to me. It came quite close to my head.



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ANNIE BLAQUIARE.

[Continued.]

3168. Was there anyone there that you could see who could have thrown it?—I could not see anyone.

3169. The person who threw it, then, must have been hiding?—Yes, there were some empty houses at the roadside, and he could have been there.

3170. In addition to that, in 1885 and 1886 how used the people to treat you as you came along the road?—In 1886?

3171. 1886, yes?—Well once or twice I was passing the road when I was looking for compensation for the cattle, and a man told me that he wished I would not look, and he groaned at me.

Cross-examined by Sir C. RUSSELL.

3172. Will you kindly tell us whereabouts this place was where you lived?—Five miles from Gort.

3173. I think the name of the place is Fiddane?—Yes.

3174. Is it Tubba-Gort?—Yes; Tubba railway station is there.

3175. We shall have to refer to this a little later in a different connection. Is this on the borders of Galway and Clare?—Yes.

3176. How far away from Loughrea?—I think 17 miles.

3177. What was your nearest town?—Gort.

3178. How far was Gort from Fiddane?—Five miles.

3179. What is a Land League hunt?—A Land League hunt was when the people of the neighbourhood went through one's property without asking any leave; hunted the game.

3180. Hunting a hare?—Hare, yes.

3181. And, as I understand from this statement in this notice, the military and the police were called out to stop that?—Yes.

3182. Wherein does this hunt differ from an ordinary hunt, where gentlemen in a better position gallop over land that does not belong to them?—I do not know. I suppose there was usually leave for the hunt to go; they were never stopped.

3183. You see what this notice says, you did not know anything about it yourself; you were not there?—I was not there.

3184. You do not know what your husband did say?—Not being there—I have heard.

3185. Do you know of any Land League meeting held in the neighbourhood of Fiddane; what was the nearest Land League meeting to Fiddane that you recollect being held?—Schanaglish.

3186. And how far is that from Fiddane?—About three miles. It is near our parish chapel.

3187. And when was that?—I could not give the date—about that time.

3188. About what time?—About the year 1881.

3189. Were there any meetings that you are aware of held in the neighbourhood of Fiddane after July of 1881 that you know of?—About the time; I am not positive.

3190. You are not aware of any?—About the time, I think so; the sergeant knows the time.

3191. I want to know; as far as you know, are you able to say that there was any after that date?—I will not say for certain.

3192. I think you said, in answer to my friend, that your late husband Mr. Blaquiare was a large farmer as well as a large landowner?—Yes.

3193. How long had you lived at Fiddane yourself?—About 19 years.

3194. Then you were living there at the Galway election of 1872?—What month was it, may I ask you?

3195. I need not trouble about the month, but I remind you of it; it was the election in which Captain Nolan, as he then was—Colonel Nolan was elected against a Mr. Trench?—We were living there.

3196. Up to 1872 was there not upon the whole—the country was not free from crime—friendly relations between the people and gentry of Galway?—I was not living in Galway; in 1872 I came to live in Galway.



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ANNIE BLAQUIARE.

[Continued.]

3197. Then if you cannot tell me I will not trouble you, but are you able to say that up to that time upon the whole there had been friendly relations between the people and the gentry?—I was not living in the county.

3198. You cannot say you mean I was not living in the country?—I do not know.

3199. Do you know this that after the defeat of the landlord's candidate, as he was called, Mr. Trench, that there was a very general concerted action among the landlords, raising rents and calling in arrears of rents in 1872 or after 1872?—I do not know.

Re-examined by Sir H. JAMES.

3200. Mr. Trench did take his seat in the House of Commons, I think he did become the member for Galway on that election?—He did.

(*Sir H. James.*) That was by petition, my Lord.

3201. My friend refers to hunts which gentlemen took part in. Do you know anything about these Land League hunts; do people assemble in large numbers?—I have not seen one.

3202. You do not know whether they take away all the game and kill as much as they can.

(*Sir C. Russell.*) She has not seen one.

3203. Up to 1879 were your husband and yourself on good terms with your neighbours?—Yes.

3204. You had no dispute with them of any kind?—No.

3205. No dispute up to 1879?—No.

3206. There was a Land League at Gort, I presume, a branch?—There was.

WILLIAM WELCH sworn, examined by Mr. MURPHY.

3207. Were you formerly in the Irish Constabulary, or are you still?—I am retired from the Constabulary.

3208. Were you formerly quartered in the neighbourhood of Tubba Gort?—Yes.

3209. Where?—In Tubba.

3210. Tubba or Tubba Gort?—Tubba is five miles from Gort.

3211. How long had you been there prior to 1879?—I joined that station on the 10th May 1873.

3212. Between 1873 and 1879 was the country peaceable or not?—Very peaceable.

3213. Do you remember how many constables were stationed at your place up to 1879 and 1880?—Only four, with myself, part of the time.

3214. So far as your observation enables you to judge, were the landlords and their tenants on good or bad terms?—Very fair terms; very fair.

3215. In 1879 were there any Land League branches established in that neighbourhood?—There was a branch established, I think, in 1880 or 1881 at Schnaglish, three miles from Tubba.

3216. And was there one at Gort —There was.

3217. And how far is Gort from Tubba?—Five miles.

3218. Can you tell me who were the leading members of the League at Schnaglish?—Geogehans, farmers.

3219. Two or one?—Two brothers.

3220. Was there one branch for each parish, or in what district?—That was the only branch in that parish.

3221. Was Mr. Blaquiare in that parish?—Yes.

3222. I will not go into the question of the speeches; we will hear that from somebody else. We have heard that Mr. Blaquiare was also occasionally chairman of the board of guardians?—He used to attend the board.

3223. Had you occasion to see the house of one of the herds, Patrick Connors, after some outrage had been committed there?—Yes.

3224. Were there marks?—Marks of the bullets through the door.

3225. Was there boycotting carried on in this parish?—Yes.

(*Sir C. Russell.*) Do not let us have this.

3226. (*Mr. Murphy.*) To any great extent, or not?—Well, there was some.

3227. After the year 1879, how was that district as regards outrages; were there more or less outrages?—A great deal more.



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WILLIAM WELCH.

[Continued.]

3228. Had you to increase the force of police or not?—Yes.

3229. Do you remember how many the force had to be augmented by?—I had 10 men in the station then and three in a hut and some military.

3230. We have heard something about Land League hunts; have you ever seen one of these Land League hunts?—I was at the hunt, but Mr. Blaquiare took charge of the police and the military.

3231. Just explain to us how it was, how many people assembled?—There were all 100 people.

3232. What did they do?—They came with wattles and dogs to try and get into Loughcontre, Lord Perth's domain, to hunt, and we were obliged to turn them back and prevent them from entering.

3233. Where did they go then?—They went off to the mountains, they would not be allowed.

3234. Walking or riding?—Walking.

3235. Dogs, I think you said?—Dogs, and sticks—large wattles.

3236. Who were comparatively in command of the so-called hunt?—I could not say, they were all in a body.

3237. Did the branches of the League continue there, or were any of them closed at that time?—The hunts continued till the League was suppressed.

3238. And after that when did they again revive?—Of course when the National League was established.

3239. Did they open them again?—Yes.

3240. Did you see any of the members of the Land League at this hunt, as it was called?—No, they were strangers that came from a distance.

Cross-examined by Sir CHARLES RUSSELL.

3241. Why was it called a Land League hunt?—I could not say.

3242. But let me understand. Were they, generally speaking, young men?—Young men.

3243. Strong of limb and wind?—Yes, indeed.

3244. And they used to beat for the hare?—Beat for game, I understand.

3245. What kind of game?—I suppose hares and rabbits.

3246. Had they any dogs?—They had dogs.

3247. Who ordered the police out?—They were ordered by the——

3248. Magistrate?—County inspector and magistrate.

3249. We hear the military were ordered out?—Yes, some of the military were out too.

3250. Who ordered the military out?—I suppose the magistrate.

3251. As I understand, some of these young men who composed these hunts were from this immediate neighbourhood?—The men that I saw there I could not recognise any as belonging to the district. They came from another district, I think.

3252. You say that the outrages were a good many more after 1879?—They were.

3253. And in 1879?—And 1880.

3254. When do you say was the first Land League established at Schnaglish, just think?—I think in the year 1880.

3255. What time in 1880?—I could not exactly say.

3256. And there had been outrages before that?—Only one in my district before that.

3257. What was that?—It was the breaking of a gate belonging to a gentleman there.

3258. Whose was the gate?—Belonging to a Mr. Kyrle.

3259. What was he?—He was a small landowner.

3260. What part of the country do you come from, Welch?—Do you mean my native place?

3261. Yes. What part of the country do you come from?—I come from Athlone.

3262. How far is Athlone from Gort or Tubba?—It is about 30 miles I should say.

3263. Were you in the force at the Galway election in 1872?—Yes.

3264. Where were you stationed then?—I was then stationed at a place called Kilkerrin, in Galway.



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WILLIAM WELCH.

[Continued.]

3265. I must ask you about this, if you can tell me. You know there was a candidate who was known as the popular candidate, Colonel Nolan?—Yes.

3266. And the landlord's candidate, Mr. Trench?—I believe so.

3267. And Mr. Trench was beaten by a large majority at the poll?—Yes.

3268. And afterwards he got the seat on petition, before Mr. Justice Keogh?—That is so.

3269. Was it not notorious that after the result of that election there was a very general action amongst the landlords in raising rents and calling in arrears?—I did not know it of my own knowledge in the district I was in.

3270. Did you hear it spoken of?—I may have heard it.

3271. Do you not know that that was regarded by the people as a punishment for having voted for Colonel Nolan?—Well, I could not say that.

3272. Have not you heard them talk in that sense?—I daresay I may have heard it, but I could not say that I know it.

3273. I ask you, from 1872 downwards, was not there a great deal of discontent and ill-feeling between landlords and tenants in Galway?—The district I was in then they lived very peaceably.

3274. Which district do you mean?—In the Kilkerrin district, where I was stationed at that time.

3275. I would like if you could give me an answer to the question I put: Do you not know that there was ill-will between the landlords and tenants after this date; I am not speaking of every landlord and every tenant, but speaking generally?—Generally; well I could not exactly say, except hearsay.

3276. Well, you heard that?—I did hear some things.

3277. Who are the large landowners, can you tell me, in the neighbourhood of Loughrea?—I do not know that district.

3278. In the neighbourhood of Tubba, who are the large landowners?—There are the Laajane estates.

3279. Who next?—A Mr. Latty has an estate there.

3280. Who else?—Not many others.

3281. I mean large landowners; can you tell me, or do you know?—I do not know of any other estates.

3282. Was Lord Westmeath a large landowner there?—No.

3283. Mr. Blaquiare was not in your neighbourhood, was he?—He was.

3284. He was a considerable landowner, was he not?—He was considered a good landlord part of the time.

3285. Do you know, from your experience as a police officer, whether in Galway and parts of King's County and West Meath, which touch it, there were a considerable number of members of secret societies?—I do not know it for a fact.

3286. Did you gather that in your experience as a police officer?—There was a suspicion to that effect.

3287. That the secret societies had a considerable hold on those districts; that is so?—I did not know it, of course.

3288. You did not know it; you were not a member of these societies; but did you, as a police officer, come to the conclusion that secret societies had a considerable hold on those neighbourhoods? Tell us, Mr. Welch?—I did not know it of my own knowledge, of course.

3289. No; but did you, as a police officer, arrive at that result?—Yes, I had a suspicion of that.

Re-examined by Sir H. JAMES.

3290. When did you go first to the county Galway?—In the year 1852.

3291. And when did you leave it? How long did you remain there?—I left it in 1883.

3292. My learned friend, Sir Charles Russell, has asked you as to this election of 1872, and the feeling created by it. From 1872 to 1880, were there any outrages committed in your district?—None.

3293. Whatever the feeling may have been which was created, you say no outrages were committed between 1872 and 1880?—There was one slight outrage committed on a Mr. Carroll.



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WILLIAM WELCH.

[Continued.]

3294. That is what you mentioned about the gate?—Yes, that was the only one.

3295. With that exception, did you ever know any outrage committed after this election, whether secret societies existed or not, till 1880?—No.

3296. When do you fix to your knowledge the first existence of the Land League in this neighbourhood?—About 1880.

3297. Up to that time had you ever had to protect individuals, to afford police protection to anyone?—Up to that, none.

3298. Did you ever know any of this system of boycotting going on before the Land League existed in 1880?—No.

3299. Did you ever hear the term “land-grabber” applied at any meetings to any person who took farms from which evictions had taken place till 1880?—There were no meetings.

3300. If these secret societies existed or not, had any of these acts of violence and intimidation taken place up to 1880?—No.

3301. My friend has asked you why this was called a Land League hunt. This notice which has been put in says: “Take notice that Henry Blackquire is Boycotted from this day forward for his treacherous conduct at the Gort Union, in opposing a resolution condemnatory of the Government in arresting our Leader, Parnell; secondly, in appearing at the head of the British soldiers and peelers at Loughcutre to prevent a Land League Hunt, when he defiantly expressed himself, ‘If the people did not disperse before five minutes, that he would have them shot down like dogs.’ Boycott him! Boycott him! Signed, Captain Moonlight.”

3302. Did you see any notices?—Yes, posted in the district.

3303. You see there in that notice signed by Captain Moonlight, it is called a Land League hunt?—Yes.

3304. Have you any reason to give, looking at that, why it is called a Land League hunt?—I cannot; that was the notice, there were several of those notices.

3305. Up till 1880, had you ever seen any such notices as that posted in your district?—None.

3306. Had you ever known any of these Land League hunts, or hunts taking place?—None.

3307. Of course you know what I mean, a meeting of a large number of men sweeping over a property?—I do.

3308. Had anything of that kind taken place till the date you have given of 1880?—No.

3309. Mr. Blackquiere was not only a landlord, but he was also a tenant?—Yes, he farmed some land.

3310. My friend has asked you whether you heard feelings expressed by the tenants against landlords. Had you ever heard until 1880 of one tenant attacking another because he had taken land?—No, I do not know that I did. I do not remember having done so.

3311. I am speaking now, not between tenant and landlord, but of one tenant denouncing another because he had taken land from which an eviction had taken place. You say you had not. You do not happen to have any of the other notices Mr. Blackquiere spoke of?—No.

3312. (*Sir C. Russell.*) I just wish to ask one thing to make it quite clear. Did I understand you to say you were stationed at Tubba from 1873 to 1879?—From 1873 to 1879.

3313. That is right, and where were you from 1879?—I was in Tubba until 1883. I was in Tubba from 1873 until 1883.

3314. You said 1879 in answer to my friend’s question. I want to get it.

(*Sir C. Russell.*) My Lord, in reference to the point about Kearey being secretary of the Land League, I see that yesterday one of the witnesses, Coursey, was asked who was the treasurer, and he says, “The treasurer of the League at the time, as far as I know, was Mr. Carey.” Mr. Ronan tells me that was meant to be Kearey, the same person spoken to by the witness.

(*Sir H. James.*) It is a mere matter of pronunciation.



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DOMINICK BARRY.

DOMINICK BARRY re-called, further examined by Mr. ATKINSON.

3315. Were you stationed in Loughrea in the year 1881?—Yes.

3316. How long had you been at Loughrea before that?—I went to Loughrea in the month of April 1880.

3317. And did you continue there down to what time?—December 1883.

3318. Was there a branch of the Land League established in Loughrea?—Yes, and numerous other places round the district.

3319. In your district?—Yes.

3320. About what time was that?—Between 1880 and 1883—1880, 1881, 1882.

3321. But had it been established before you were were stationed there?—No.

3322. When you came there what was the state of the district?—Very peaceable.

3323. And did it continue peaceable up to the time of the establishment of the Land League?—Yes.

3324. After the establishment of the Land League, did you notice a change in the condition of the district?—Yes.

3325. What was the change?—It gradually became disturbed, until several serious outrages, including five murders, had been committed.

3326. From the year 1880 to the year 1883, from the time the Land League was established till the end of the year 1883, how many murders were committed in your district?—In my district there were five.

(*Sir C. Russell.*) Between what dates?

(*Mr. Atkinson.*) From the time the Land League was established in 1880 till the end of 1883.

3327. Were those all of an agrarian character?—All of an agrarian character.

3328. And did the murders take place in the daytime or in the night, as far as you were able to ascertain?—All in the daytime, with one exception, that of Comors, which occurred about 1 o'clock in the morning.

3329. All the others took place in the middle of the day?—Broad day.

3330. Were they on the public roads, or where?—On the public highways, some of them.

3331. Was any person ever brought to justice for any of these?—No. Numerous arrests were made, but no evidence could be obtained, such was the state of feeling in the district.

3332. In the period you have mentioned, were there many persons under police protection?—Several.

3333. Were any persons under police protection when you came to the district?—None. Not only were there individual cases of protection, but several protection posts had to be established throughout the country; throughout the district.

3334. Was there an increase in the police force in your district from the time you came there up to 1883?—Considerably. And even in the town alone there was an increase of 40 men. The ordinary strength was 20 men, and it was increased to 60. There was an additional barrack, in the town of Loughrea alone, and in addition to that, five huts established round the town.

3335. In the entire police district over which you were in charge, what was the increase in the police force up to 1883?—It must have been very large. I could not tell from memory, but I just took down from memory here the number of protection posts that had to be established, within the last few minutes. I have down here 20. There may have been more that I do not now recollect.

3336. What was the feeling of the people, as far as you can judge, towards the police when you came to Loughrea?—It was very friendly, and always was.

3337. Did you observe any change in the feelings of the people towards the police sometime after the establishment of the League?—Oh, yes; they were denounced at these meetings.

(*Sir C. Russell.*) Let us have these speeches?

3338. (*Mr. Atkinson.*) At meetings at which you were present yourself?—Certainly.

3339. Have you heard the police denounced?—Certainly.

3340. What meetings were these?—Several meetings throughout the district. I could not enumerate them.

3341. Were they Land League meetings. Land League meetings as I understood them. They were called together by placard indicating that these were Land League meetings.



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DOMINICK BARRY.

[continued.]

3342. Those that you attended, did you see any members with cards in their hats?—  
Oh, yes.

3343. Land League cards?—Land League cards—cards of membership.

3344. And did you know the persons that spoke at these meetings to be members of the Land League?—Yes,

3345. Did you know Serjeant Linton?—I did.

3346. Was he one of the force under your command?—Yes.

3347. Had he any special duty assigned to him?—He had.

3348. What was that?—He was specially detailed to take notes of the speeches made at the Land League meetings in the neighbourhood, and also to exercise supervision over the movements of prominent members of the Land League, and other suspected persons.

3349. Was he an active officer?—Most so.

3350. Did he discharge that duty up to the time of his death?—With great vigilance he did. He was very vigilant in discharging his duty, and became obnoxious on that account with the people generally, so much so, that at one meeting I remember having to withdraw him rather than to risk a collision; the people were so hostile to his appearance there.

3351. Do you remember his giving evidence? Was he examined as a witness on behalf of the Crown in the trials in Dublin in December 1880?—Yes; he was subpoenaed at that trial, but I was not present. He went up, and I understood on his return that he had given evidence.

3352. Were you obliged to confine him to barracks during the night?—Yes; I advised him not to leave the barracks at night without being accompanied by another man.

3353. Did you confine him to barracks?—I did, and I actually detailed another man to accompany him, but for some reason or other, there was a disinclination on his part to have another man with him, and he would rather go alone.

3354. Was he shot?—He was.

3355. When?—About 10 or 15 minutes before 10 o'clock on the night of the 24th July 1881.

3356. Where?—In Church Street, in the town of Loughrea.

3357. (*Mr. Justice Smith.*) 1881?—1881.

3358. (*Mr. Atkinson.*) Were there many people about the town at the time?—Yes, there were people about the town at the time.

3359. Were you present shortly after?—Immediately; in fact, I heard the shot.

3360. Where were you when you heard the shot?—In my own house.

3361. Is that near the barracks?—Yes, it was close to the scene, near the barracks.

3362. After you heard the shot did you go immediately?—Yes.

3363. Did you find the dead body of Linton?—I did.

3364. Were there many people about in the street?—A great number. It was a fine evening; it was not quite dark at the time, just twilight.

3365. Were you able to obtain any information as to what happened, as to who had shot him?—No. It was out of the question to obtain information at that time in consequence of the state of feeling which existed in the district.

3366. Did the people manifest any feelings towards him after he was shot?—Not a friendly feeling.

3367. Was his funeral attended by anybody?—Very few; none excepting the police, except a few that came there for curiosity to see the police march.

3368. Was he a married man?—No, a single man about 42 years of age.

Cross-examined by Sir C. RUSSELL.

3369. You were examined, I think, the other day, were not you?—Yes.

3370. On some other matter. Will you just give me the names of these five cases of murder that occurred from 1880 to 1883?—James Connors. I will give you them in the order in which they occurred. Peter Dempsey.

3371. If you can give me the order in which they occurred, you can also tell me the dates?—I can. There was James Connors, the 9th May 1881; Peter Dempsey,



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DOMINICK BARRY.

[Continued.]

29th May 1881; Serjeant Linton, 24th July 1881; John Henry Blake, and his servant Rohan, 29th June 1882. Those are the five.

3372. Is it the fact that every one of the murders which occurred, and which you speak of, took place after the suppression of the Land League?—No.

3373. No. I am wrong about the date. I beg your pardon, I am wrong about the date of the suppression. After the arrest of the leading heads, if I may so call them, of the Land League organisation.

(*Sir H. James.*) No, no, that would not be so.

(*Sir C. Russell.*) I am perfectly right.

3374. Is that not correct?—I do not know the date of the arrest. I think the arrest did not take place till 1882. I am not clear about it.

3375. I may remind you the arrest, so far as the leaders were concerned, I mean Mr. Parnell and Mr. Dillon and others, was in March of 1881?—It was subsequently to that period.

(*Sir H. James.*) No, indeed, it was not.

(*The President.*) We all know the date of the arrest. It was in October 1881.

(*Sir C. Russell.*) My Lord, I am wrong again.

(*The Witness.*) Yes, you are.

3376. (*Sir C. Russell.*) The witness is right, it was October 1881?—October 1881 the Land League was suppressed, and three of these murders had taken place prior to that time.

3377. That is to say, Connors, Dempsey, and Linton?—Yes.

3378. So much as regards the heads of the movement. Were there not arrested in Loughrea a number of persons under the Coercion Act?—Yes.

3379. Before the occurrence?—Of some of these murders.

3380. Before the occurrence of any of these murders?—Yes, I think so. Some arrests had been made previously to the murders.

3381. Were those arrests of persons who were, rightly or wrongly, believed to be active persons in the local Land League organisation?—Inciting to crime.

3382. You know, inspector, that is not a fair answer?—No, not for that reason; I am not aware of any arrest.

3383. I am not asking you the reason. I am asking, were they not persons who were believed to be prominent local members of the Land League organisation?—Some of them were, but those arrested were believed to be concerned in crime that had been committed in the neighbourhood.

3384. That is to say, they were taken up as suspects, as they were called?—Suspects, precisely.

3385. Under the Coercion Act, which was then in force?—Yes.

3386. How many of those arrests altogether were made?—I suppose there were some 40 or 50.

3387. From that neighbourhood?—From that neighbourhood.

3388. Now, I ask you were any of those arrests made after 1881?—Yes, subsequently, and from 1881, I think. About 1881, I think, they commenced.

3389. You told me it was not so. You told me there were arrests before any of these crimes. Now, I must ask you whether there were not arrests in 1880?—Yes. I am not aware. I think it was subsequently to the suppression of the Land League that the arrests were made. That was after October 1881. Yes.

3390. Of course I am bound to take your statement?—I am giving it to the best of my recollection.

3391. Then I must press you upon that. Do you say there were no arrests made of persons supposed to be prominent in the local Land League organisation before October 1881?—That is my impression—that there were not.

3392. 1881?—Yes.

3393. You say so?—That is my impression.

3394. When was Martin Halloran arrested?—I think he was arrested in April.

3395. April, when?—I think, April 1881. I am not certain. That is one exception I think. I think he was the first man arrested in the district under that.

3396. Then you were in error as regards him?—Yes.

3397. Sweeny?—I cannot give the dates. I recollect all.

3398. Then I must put it to you plainly. Were there not several arrests made before May 1881?—I cannot give a positive answer to that. I speak from



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DOMINICK BARRY.

[Continued.]

recollection. I am away from that district for the last five years, and at this distance of time it is very hard to speak with any degree of accuracy.

3399. So much as regards previous to May 1881. There was a very large number of arrests, were there not; practically all, in fact, arrested before July 1881. I do not say all, but a great many?—I think a great many arrests had taken place before then.

3400. Before July 1881?—I think so.

3401. A man called Doolan or Dolan?—Yes; he was arrested on the occasion of the murder of Connors.

3402. A man called Keogh?—Yes.

3403. A man called Fahy?—Yes, he was imprisoned also.

3404. A man called Sweeny?—Yes, two men named Sweeny.

3405. A man called Cunningham?—Yes; he is dead.

3406. A man called Hughan?—Yes.

3407. A man called Ryan?—Yes, he was arrested in connexion with the murder of Connors.

3408. Now, as regards Linton's case let me ask you this: There were arrested in relation to his murder a publican named Clark and his wife?—Yes.

3409. You had charge of that prosecution?—No; I had not anything to say to it.

3410. I thought you had?—No.

3411. Did you not know that it was——?—I was aware of his arrest, yes.

3412. Do you not know that it was suggested that in Linton's case it was not an agrarian cause that had led to his death, but another cause?—Well, it was. That suggestion was exploded by the acquittal of the prisoners who were then charged. It was upon the information of their own servant; that was the only evidence against them.

3413. That was exploded?—I imagine so; to my mind it was.

3414. You think that was right?—Yes.

3415. You are aware what I mean then. It was suggested that he had played the part of a spy on publicans amongst others, and got them prosecuted and fined?—Oh, yes. He kept a vigilant eye upon the public-houses.

3416. I am not suggesting whether it was well founded or not; I do not know; but the man Clark, the publican who was arrested, was a shopkeeper in the town?—Yes.

3417. And his wife was living with him there. I mean so far as you know, was there any agrarian cause for that in Linton's case?—I have reason to believe that he was murdered on account of having given evidence on the Parnell trial. I had information to that effect. I do not know whether it may be so or otherwise, but such is my impression.

3418. That is not quite an answer to my question. But you have also heard the other cause attributed?—It was so alleged at the time.

3419. Now, you have spoken of these 20 protection posts. Over what area was that?—Within a radius of some 8 or 10 miles around the town of Loughrea.

3420. A 10 miles radius?—Yes, something like that.

3421. Now, you have spoken about the feeling towards the police. Has the principal cause of the enmity between the police and the people in the neighbourhood in which they are stationed been the part that the police have been called upon to take in relation to evictions?—To some extent. It has to some extent, yes.

3422. Now, in order just to correct the error into which I originally fell I should like to have these dates. The Coercion Act, as it was called, Mr. Forster's Act, came into force in March of 1881, and continued until September of 1882. The arrests began—you have spoken of some as early as April?—I think so, yes.

3423. The arrests began as early as April 1881, and the suppression of the Land League was in October of 1881?—Yes.

3424. I will ask you this one general question: After the proclamation of the Land League, followed by the arrest of the leaders in Dublin; that was followed up also by the arrest of such of the local leaders as had not previously been arrested, or to a very great extent?—I am not quite certain about the time that the Act expired.

3425. You may assume it was in September 1882?—I think the Act had expired before 1882.



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DOMINICK BARRY.

[Continued.]

3426. September 1882 you may take it?—Yes, it was; I think so.

3427. That is the fact, is it not, that following the arrest of Mr. Parnell, Mr. Dillon, and others, which was in October 1881, there were similar arrests as regards the local heads of the Land League movement?—The arrests continued.

3428. Such of them as had not previously been arrested?—Such of them as were believed from time to time to be concerned in the crime which was committed in the district who were believed to be concerned, and against whom no evidence was forthcoming.

3429. And as regards those persons arrested as suspects, as you have said, not one of whom was ever brought to trial?—It was impossible.

3430. You have said being suspected of crime and so on. Are you not aware that in the great majority of cases the suspicion was addressed to the use of intimidation, not to the actual commission of crime?—Crime generally, as it prevailed in the district at the time.

Re-examined by Sir H. JAMES.

(*Sir H. James.*) My friend has given to your Lordships the date of the Act perfectly correctly when it came into operation, but in another sense it came into operation before, because it was retrospective. It gave power under the 1st section to the Lord-Lieutenant to declare by warrant that a person was “reasonably suspected of having at any time since the 30th day of September 1880, been guilty, as “principal or accessory of high treason, treason-felony, or treasonable practices, “wherever committed, or of any crime punishable by law committed at any time “since the 30th of September 1880, in a prescribed district, being an act of violence “or intimidation, or the inciting to an act of violence or intimidation, and tending to “interfere with, or disturb the maintainence of law and order.”

3431. You have spoken of the murder of Connors, in May 1881?—Yes.

3432. Who was Connors; what position of life was he in?—A poor farmer, with a couple of acres of land, or something like that—a small farm.

3433. Do you know anything about him, as to whether he had done anything to cause anger against him?—He took up the position of bog ranger which a man Keogh had surrendered, in consequence of the feeling of the country at the time; he did not wish to have anything to say to the landlord.

3434. Who did not?—Keogh.

3435. I am speaking of Connors. Connors took up the position Keogh had given up—as what?—Bog ranger on the property of Lord Dunsandle.

3436. Who was Dempsey? He was murdered on May 29th?—Yes; for taking an evicted farm he was murdered.

3437. Linton we know of, and Mr. Blake and his servant. Was he landlord or what?—He was agent to the Marquis of Clanricarde.

3438. When did you first go into this district?—April 1880.

3439. Did you find at that time that crime was rife in the neighbourhood?—Not at all. On the contrary.

3440. In April 1880?—Yes.

3441. When did you know of the Land League being first established?—The close of 1880.

3442. After the establishment of the Land League did you observe any difference in the condition of the neighbourhood?—Oh, very great.

3443. What was it?—It became disturbed a great deal.

3444. What was the nature of the disturbance? In what way disturbed?—Intimidation prevailed to a very great extent, threatening notices and letters.

3445. You say the arrests commenced of course some time after March 1881?—Yes.

3446. My friend asked you, so I am entitled to ask you, were the persons arrested arrested only in consequence of being suspected of being guilty of intimidation, or other crimes also?—Crimes. Crimes generally, and inciting to crime.

3447. Do you call intimidation crime or not?—I believe it is included in the term.

3448. But in the answer you have just given?—I do not confine myself to intimidation alone.

3449. To other crimes?—To other crimes, yes.



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DOMINICK BARRY.

[Continued.]

3450. My friend has asked you whether the Land League was suppressed. Did the Land League continue or discontinue its operations in this district?—It carried on, I think privately, its operations until it assumed the other name.

3451. Until it assumed the other name of the National League?—Yes.

3452. And the persons who were arrested on suspicion of crime, were they or were they not, to your knowledge, members of the Land League?—As a rule they were members of the Land League. All persons in that locality were supporters of the Land League.

3453. (*Sir C. Russell.*) All the people were?—You might say so, very nearly.

3454. (*Sir H. James.*) After that answer, I may assume that some of the members of the Land League at least were not arrested. Some were left in the district?—Oh, yes, a large number.

SAMUEL MURTAGH sworn, examined by Mr. ATKINSON.

3455. Are you a serjeant of the Royal Irish Constabulary?—Yes.

3456. Were you stationed at Loughrea in the month of May 1881?—I was.

3457. Do you remember the night that Linton was shot?—I do.

3458. Were you barrack orderly on that day?—Yes.

3459. Were you able to hear the sound of the shot from the barracks?—No.

3460. Was a report brought to the barracks that he had been shot?—Yes.

3461. Immediately upon the report being made to the barracks did all the men in the barrack but yourself turn out?—Yes, all but myself and another who was ill.

3462. In bed?—Yes.

3463. Then you were the only man there fit for service?—That was all.

3464. Now, after the other policemen had been away for an hour, did a number of men come to the barracks?—Yes.

3465. How many came?—I think about 12 or 13.

3466. What did they want?—They came to report the murder, and told me that Serjeant Linton had been killed in the street, and they asked me to let them in.

3467. That had occurred an hour previously?—About an hour and five minutes previously.

3468. Did you let them in?—No.

3469. Who were they?—There was a man named John McCarthy, Bernard Coyle, Nicholas Barrett, Thady O'Neill, James McDermott, Joseph Kavanagh. I cannot remember the rest of the names.

3470. Had you known these men before?—Yes.

3471. Were they members of the local Land League?—Yes.

3472. Had you seen them attending Land League meetings?—Yes.

3473. At the time that they arrived at the barrack, had the news of Linton's murder been spread through the town?—Oh, yes.

3474. And the police had left for the scene?—The police had left for the scene over an hour before.

3475. When you refused to let them in, did they say anything?—No, not that I heard.

3476. Did they leave then?—They did. They reported to me that Linton had been murdered.

(*Sir C. Russell.*) I do not ask you anything.

ALLAN BELL sworn, examined by Mr. GRAHAM.

3477. I believe you are a district inspector of the Royal Irish Constabulary?—Yes.

3478. Did you take charge of the Athenry district on the 17th of November 1880?—Yes.

3479. I believe you were stationed there for four years?—Yes.

3480. What was about the extent of the district of which you had charge?—It was about 20 miles long, by seven miles broad.

3481. Now, on the 28th of November 1880, did you attend a Land League meeting at Ballymara?—Yes, near Craughwell.

3482. About how many people were there?—There were over 1,000 people at all events.



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ALLAN BELL.

[Continued.]

3483. And had they banners?—Yes.

3484. With inscriptions on?—With inscriptions on them, yes.

3485. Do you recollect what were the inscriptions on some of them?—Yes. “England is our only foe,” was on one, and “The land for the people” was on another. I do not remember what the others were.

3486. Do you remember one about Allen, Larkin, and O’Brien?—Yes, “Cheers for Allen, Larkin, and O’Brien, the Manchester martyrs.”

3487. The police were there, I believe, you had some constabulary there?—Yes, I was in charge.

3488. Were they able to take notes of what was going on at the meeting—the speeches?—The police that were in uniform were prevented from taking notes.

3489. How?—By the jostling of the people,—being pushed and shoved about whenever a note-book was taken out.

3490. Did you hear the Rev. B. McFilpin make a speech?—Yes.

3491. What was his position?—He was secretary of the Athenry Branch of the Land League.

3492. Was he the parish priest there?—No, he was the Catholic curate.

3493. At Athenry?—At Athenry.

3494. Do you recollect what he said or the sort of observations he made to the people?—I cannot recollect his exact words. I know he denounced landlords and landlordism and the police and the Government.

3495. On the 12th December 1880, were you at another Land League meeting?—At Craughwell.

3496. Were there similar banners there?—There were, with the same inscriptions as at Ballymara.

3497. And a considerable number of people?—And a very large number of people, some of them mounted men carrying staves like swords.

3498. Was the Rev. Father Considine there?—He was.

3499. What was his position in the neighbourhood?—He did not live in my district. I do not know personally. I believe he was an officer of a branch of the Land League in the neighbourhood.

3500. Was he a priest in the district?—Oh, yes, he was. He was a Catholic curate.

3501. Where?—Of a neighbouring parish. He is at Ardrahan now.

3502. Did you hear him say anything about the fenians?—He called for cheers for the fenians which were heartily responded to.

3503. Were the cheers given?—The cheers were very heartily given.

3504. Was John Sweeney one of the speakers?—Yes, John Sweeney of Loughrea was speaking.

3505. Do you know at all whether he is connected with the Land League?—I know that he was connected with the Land League, and is connected with the National League.

3506. And Martin O’Halloran, did he speak?—He did.

3507. Was he connected with the Land League?—He was. He was president of the Kiltulla branch of the Land League at one time.

3508. Did you hear him say anything about the police?—Yes; he said that he challenged the English Government, that within 24 hours he could disarm all the police in Galway.

3509. Did he say anything about boycotting?—He urged the people to boycott the police.

3510. Did you attend a number of other Land League meetings in the neighbourhood?—Yes, throughout my district from time to time.

3511. Did you find that after Land League meetings were held in different parts of your district outrages followed?—The district became very disturbed after these meetings. It was very quiet before.

3512. Did you find threatening notices posted about in your district?—Yes, several, from time to time.

3513. On the 21st of December, I believe, you took down one to the people of Ireland—“The Government of England”—have you got that?—Yes.

3514. Beginning “The Government of England have declared war against the Irish people”?—That is a printed notice.



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ALLAN BELL.

[Continued.]

3515. Where did you take that down?—In the Craughwell sub-district, on the 15th of December 1881.

3516. “To the People of Ireland,

“The Government of England has declared war against the Irish people. The organisation that protected them against the ravages of landlordism has been declared ‘unlawful and criminal.’ A reign of terror has commenced. Meet the action of the English Government with a determined passive resistance. The No Rent Banner has been raised, and it remains with the people now to prove themselves dastards or men.

“Pay No Rent.

“Avoid the Land Court.

“Such is the programme now before the country. Adopt it, and it will lead you to free land and happy homes; reject it, and slavery and degradation will be your portion.

“Pay no Rent.

“The person who does should be visited with the severest sentence of social ostracism.

“Avoid the Land Court.

“Cast out the person who enters it as a renegade to his country and to the cause of his fellow men.

“Hold the Harvest

“is the watchword. To do that effectually, you should, as far as possible, turn it into money. Sell your stock when such a course will not entail a loss. Make a friendly arrangement with your creditors about your interests in your farms. A short and sharp struggle now, and the vilest oppression that ever afflicted humanity will be wiped away.

“No rent.

“Four brethren in America have risen to the crisis, and are ready to supply you with unlimited funds, provided you maintain your attitude of passive resistance, and

“Pay no rent.

“No rent.

“‘The tenants of Ireland have still one tremendous move in their power, and that is to quietly stay at home and Pay no Rent. I believe, that if they unitedly adopted a policy of passive resistance, which I do not see how it would be possible for the landlords to combat, it would lead to one of the greatest revolutions that Ireland has ever known.’ That is a quotation from Nassau Williams, senior, Professor of Political Economy, University of Oxford. There is another quotation: ‘I do not suggest an impossible hypothesis to your Majesty when I state the possibility (I might state it more strongly) of the tenantry of the country refusing to pay tithes or rents. The clergy and the landlords might have recourse to the law, but how is the law to be enforced?’ How can they distrain for rent or tithes upon millions of tenants? That is the Duke of Wellington to the King. And another quotation: ‘The land, therefore, is the common property of the people of that country, because its real owner, the Creator who made it, has transferred it as a voluntary gift to them.’ Dr. Nulty, Bishop of Meath.

“Pay no rent.

“By Order,

“PATRICK EGAN, Treasurer.”

In that district where you found that notice posted was there much boycotting?—There was a great deal of boycotting.

3517. And intimidation?—And intimidation.

3518. What do you mean by intimidation? I mean what sort of intimidation?—I mean when a man is walking through the streets being hooted at and groaned at and



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being shunned by his neighbours, and when he goes into chapel, people withdrawing from kneeling near him, besides, of course, firing into dwelling-houses and posting boycotting notices and threatening letters.

3519. Were your officers applied to for police protection in many cases?—Yes, we were. There were a good many protection posts formed in my district.

3520. Was the number of your police increased in the district?—It was.

3521. What did they ask for protection from? What was it they were afraid of?—They were afraid of being murdered as landlords, or as agents, or as men who had taken evicted farms.

3522. What did the protection consist of? What do you mean by protection post?—I meant by protection post, either some four or five armed constables being stationed in a man's house for his protection, or stationed in an iron hut erected near where he lived.

3523. Now, the bailiffs and sheriff's officers, were they able to discharge their duties in the ordinary way?—No, they were not.

3524. Had they to be assisted by the police?—Yes, they were always under a guard of police.

3525. Do you know about when it was when you found that notice I have read?—The date is on the back of it; the 15th December 1881.

3526. During 1881, in your district on the 11th March, James Connors was shot; the case which has been proved?—Not in my district, adjoining my district; within six miles from Athenry.

3527. How far from your district?—Six miles from Athenry; between Athenry and Loughrea.

3528. That is in the Loughrea district?—Yes.

3529. On the 29th May 1881 Peter Dempsey was shot?—Yes.

3530. That is a case which has also been proved. On the 20th June 1881, were Mr. John Lambert and his son fired at while driving on the high road?—Yes, while driving to Petty Sessions. That has been proved, I think.

3531. On the 2nd November 1881 was Peter Doherty murdered?—Yes, Peter Doherty was murdered on that night.

3532. Had he taken a farm that had been surrendered?—Yes, he took a farm on the property of Mr. Walter Burke, who was afterwards murdered, which had been surrendered by a man called Kaniff.

3533. Before Doherty was shot, do you know that some of his cattle were poisoned?—Yes, two of his cattle were poisoned.

3534. (*Sir C. Russell.*) You know he cannot know it of his own knowledge?—I saw them poisoned, and I saw them ripped open and the poison taken out of them.

3535. (*Mr. Graham.*) That was in March 1881?—Yes, I think it was the 12th March 1881.

3536. Had this man Doherty been boycotted, do you know?—Yes.

3537. And he still remained in his farm?—He still continued to hold the farm; he and his cousin.

3538. Was Doherty's horse shot also?—No, Doherty's horse was not shot, but the people who shot Doherty enticed him out of his house where he had gone to bed by letting his horse out of the stable.

3539. (*Sir C. Russell.*) Were you there?—No, I was not. I have heard it sworn to though.

(*Sir C. Russell.*) Pray, Mr. Bell, do not say that.

3540. (*Mr. Graham.*) On the 30th December 1881 was a notice brought to you relating to a man named Tyrrell?—Yes.

3541. Have you got it?—Yes.

3542. Where was it posted?—It was posted at a place called Knockbrack.

3543. Was it near Tyrrell's house?—On his door.

3544. I see it is written in imitation printing?—Printed by hand, yes.

3545. "Notice. This is to command you M<sup>r</sup>. Tyrrel if you don't give up working  
" for Mrs. Lambert The Tyrant you will be shot before a Week, Too Long  
" you are Going on as traitor to the noble cause. You are a lying villain.  
" Look at thape [the shape] of your coffin [then a picture of a coffin] you are  
" to be visited by the people's friend Cap<sup>t</sup> Moonlight."



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Was that John Lambert who was fired at?—No, it was not the same Lambert. It was a Mrs. Lambert, a widow, who had some difficulty with her tenants at the time.

3546. John Lambert lived in that neighbourhood, did he not?—John Lambert lived in that neighbourhood, yes; in my district.

3547. Do you know, did he afterwards have to employ emergency men to work his land?—I do, yes.

3548. People would not work for him in the district?—No.

3549. Did you see notices posted about the district with reference to Mr. Lambert?—Yes, a great many of them.

3550. Have you got any?—I have got some, yes.

3551. There is one "Boycott Again." "Boycott Again. That Tyrant That Rogue that Grey-headed Rascal Shawn Bawn Lambert. Remember any person who shall give any assistance to him will meet with a sad death."

Then there are the figures of three men who were working for him at the time. Then there were rough pictures of three men. Under one it is written "Micky"?—Yes.

3552. Under another "Manion"?—Yes.

3553. And under another "Clasby"?—Yes.

3554. Then there is a rough picture of a gun pointing at the men, and a coffin at the side of the notice?—Yes.

3555. The notice finishes up, "they will meet with a sad death"?—Yes.

3556. Have you another that you found relating to the same gentleman, Mr. Lambert?—Yes.

(*Sir C. Russell.*) Could you conveniently ask him the dates of these?

3557. (*Mr. Graham.*) Which one?—It is endorsed on the back of them all. The 6th August 1882 is the date of this one.

(*The Attorney-General.*) The date of the one you have just read you have not given.

3558. (*Mr. Lockwood.*) It looks like 6/12/82?—6th December 1882, I fancy it was.

(*Mr. Lockwood.*) Yes, it looks like 6th December.

3559. (*Mr. Graham.*) The one you have before you now is 6th August 1882, I believe?—Yes.

(*Mr. Lockwood.*) Let the witness have it. It looks like 6th December 1882.

3560. (*Mr. Graham.*) Follow me to see if I read this correctly:—"Men of Craughwell and Surrounding Villages. Let your spirit never fail. Boycott that sly, daring, and unmerciful tyrant Shawn Bawn Lambert, who is trying to come to friendly terms with you by giving a Man a few Greedy shillings a day which no man who sets any value on his life will take. He gives one week's labour and no more, which has been paid to him by the London Committee for the relief of half starved landlords. Jack's few Bobs are not worth a man's life, and the man that will work for the Grey-headed rogue will loose His life i solemnly swear, but when or where he knows not as i will wait until my opportunity. Do not depend too Much on the Buckshots, and let themselves not be too bold either, as i might meet them some fine Morning and give them a Warm breakfast. In a few weeks the grey-headed rogue will be glad to get indian Meal to eat, and its a good hearty person that would give him that same. I am now as suple as ever, and long for to get the chance at Manion Black Micky and Clasby the emergencys." Were they the men who were working for him?—Yes, they continued in his employment.

3561. "I'll Make you gaballagh yet my Boy as my Powder is Very dry." "Boycott Shawn bawn the Tyrant, the rogue, and the Land-robber. Billy Take warning, that if you assist him in any way you will [meet] me in a future day. Remember Billy, I am still at large, and if you assist him you will meet With Something Warmer than Cutting hay?"—Yes.

3562. Have you another you found on the 12th August?—That was found on the 12th August.

3563. Then the previous one was the 6th August?—Yes.

3564. Have you another beginning "Shawn bawn"?—That is the 12th August also.

3565. "Boycott Shaun Bawn LamBert, the Notorious Rogue and Comon Scoundrel. Any person Who Will Work For Shaun Bawn Lambert Will at a future day get hot lead for certen. Believe me Rory is Not Dead Yeat—Ireland for the Irish & Down



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"With Shaun Bawn LamBert." Then on the 18th May 1882, did you find one with reference to the police?—I did not find this one. It was handed to me. It was found by another constable and handed to me.

3566. That is with reference to the police in the district?—Yes.

3567. Were the police boycotted?—They were.

3568. Were they able to purchase food in the district?—No, not in the village in their immediate vicinity. They had to come to Athenry to buy things, or get other police to buy things for them and sent it out by police cars.

3569. This relates to the police "Men of Craughwell, Carrigan, and surrounding villages"?

3570. (*Sir C. Russell.*) What is the date of this?—The 12th of May 1882.

3571. (*Mr. Graham.*) "Boycott that Contemptible Class The Cut-Throat peelers of the Carrigan hut & of Craughwell." This Carrigan hut was for the protection of the Dominick family, Peter Domic having been murdered in 1881. The police protection was for the family after the man had been murdered?—Yes.

3572. That is the one alluded to?—Yes.

3573. "I advise the low-spirited people of Carrigan and Craughwell not to supply them with any sort of Provision. Any person that will allow them to go into their houses or oblige them in any way will be treated as a land-grabber"?—Yes.

3574. "Let Every Person Beware of that notorious Rogue the mean double Bailiff Connolly of Carrigan and his little Neighbour whose fate will be miserable. Boycott the two emergency men 'Connors and Hussy' as they built the walls of the Boycotted farm. Any person that will go into the hut or act as a secret emergency man will be astray. No publican in Craughwell to give hay to the Buckshot horse." They were to be treated as a land-grabber. How were land-grabbers treated in the ordinary way?—Peter Doherty was shot. Peter Doherty was one of them, and he was murdered.

3575. Were they boycotted as a rule?—They were.

3576. And some of them have been murdered in the district?—Yes, and adjoining districts.

3577. Now this speaks of the Double Bailiff Connolly. Who was he?—He was one of Mr. Walter Burke's bailiffs who remained in his employment.

3578. Is that the Mr. Burke who was murdered?—Mr. Walter Burke who was murdered on the 8th June 1882. He was boycotted before being murdered.

3579. This was a notice with reference to his bailiff found in May 1882?—Yes.

3580. And in the following June, Mr. Burke, to whom he was bailiff, was murdered?—Yes.

3581. And these two emergency men who were named Comors and Hussy, who were they working for?—They worked for Mr. Burke, and built up the walls of the boycotted farm of the Connollys' which had been thrown down.

3582. What do you mean by boycotted farm?—Well, Peter Doherty was shot for taking it, and the people wanted it to lie direlict.

3583. A farm the Land League wished to prevent anyone taking?—Yes.

3584. Was it customary in those cases to pull down the walls—was it a common thing I mean?—Well, I do not know of my own knowledge in my district. That is the only case of that.

3585. In that case it was done?—Yes.

3586. Now on the 8th June 1882, this Mr. Walter Burke, I believe, was shot?—He was shot dead, and then Corporal Wallace, a dragoon.

3587. He was shot as he was driving home from Quarter Sessions, I believe?—Yes.

3588. He was a magistrate?—He was, for the county Mayo. I do not think he had a commission for Galway.

3589. And was he a land owner in the district?—Yes, he was.

3590. Was he under police protection at the time?—No, he was protected by dragoons. At that time soldiers were employed on protection duty.

3591. A man named Corporal Wallace was with him, I believe?—Yes.

3592. Was Corporal Wallace also shot?—Corporal Wallace was also shot.

3593. This was the 8th June 1882?—Yes.

3594. Do you know whether that Mr. Burke had been denounced at any of the League meetings?—I do not know of my own knowledge.



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3595. Did you see them after they were shot—those two?—Oh, yes; I saw them lying on the road riddled with gun-shot wounds.

3596. Was there a considerable crowd of people there after a bit?—There were a few people gathered round, a few of the country people.

3597. How did they behave?—Well, they were laughing at these poor men lying on the road.

3598. Was a Mr. John H. Blake, Lord Clanricarde's agent?—Yes.

3599. In that neighbourhood?—Yes, he lived seven miles from Athenry.

3600. Had he in his service a man named Ruane?—Ruane.

3601. They were both murdered as they were driving to mass, I believe?—Yes.

(*Sir C. Russell.*) We have had that.

(*The President.*) I do not remember having that before.

(*Sir H. James.*) There is nothing proved yet.

3602. (*Mr. Graham.*) Was it in broad daylight?—It was in broad daylight, between 12 and 1 o'clock in the morning.

3603. Driving along the public highway?—Yes, the highway between Athenry and Loughrea.

3604. On their way to mass?—Yes. Mrs. Blake was wounded at the same time.

3605. Did you obtain information as to who the murderers were?—There was information obtained as to who the murderers were.

3606. I mean, could you get evidence against them?—No.

3607. You were away, I believe, during November 1882?—Yes, and for some months after.

3608. About that time I believe there were one or two successful prosecutions?—Yes.

3609. Of persons who had committed crimes in the district?—For the murder of Peter Doherty, for instance, two men were tried and found guilty.

3610. Did you find when you came back that that appeared to have made a difference in your district?—A very great difference.

3611. Do you keep a record of all the agrarian outrages which occur in your district?—Oh, yes, there is always a record kept of every outrage.

3612. I believe you have got a list there that you can hand in?—No, I have got no list. Those that you have there were only reported to me. I mean they were taken out of the books of my district. I know officially about them.

3613. These are outrages reported to you in your official capacity?—Yes.

3614. Do you remember them yourself?—I cannot repeat them all; there are so many of them. I do not remember the exact dates. I remember the circumstances.

(*Sir C. Russell.*) This gentleman says they were reported to him. I do not object to that.

3615. (*Mr. Graham.*) Perhaps you will just follow me as I read them: "On the 8th October 1880, malicious burning of Thomas Madden's hay"?—Yes.

3616. "At Athenry, Madden took two acres of land surrendered by a previous tenant"?—Yes, on Mr. Lambert's property.

3617. "On the 1st November notice posted on chapel gate at Craughwell, warning the people not to allow Michael Colclough to sit in chapel while protected by a policeman." Was that man Colclough a herd on an evicted farm?—He was.

3618. On the 16th November 1880, robbery of a box of guns?—From Craughwell Railway Station.

3619. Who was the box consigned to, do you know?—It was consigned to a dealer who lived in Loughrea.

3620. A dealer in fire-arms?—He had a hardware shop, and he used to sell fire-arms; yes.

3621. "On the 7th November threatening letter sent to Denis Corbett"?—Yes.

3622. "On the 7th December 1880, threatening letter posted and malicious injury, 'Tim Manion'? Do you know what that injury was?—The letter directed him to send back some corn that he had at a mill in order to grind, because the owner of the corn did not join the Land League.

3623. "The 3rd December 1880," which was prior in order of date, "the house of Michael Roche visited by armed party, who broke three windows, Knocked down



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“ some corn stacks, and fired shots, posted notice on door. Then this is the Notice :  
 “ ‘ Take notice, Michael Roche, of Killascope, you had better quit the country at once  
 “ ‘ or you shall meet your doom for paying rack rent, or any more arrears to masters  
 “ ‘ or shopkeepers. I solemnly swear, your life is expired at first chance of seeing you,  
 “ ‘ in private or public.’ Then on the same date, Martin Conallen? ”—There were four persons injured by the same party on the same occasion.

3624. Martin Conallen's house visited, and corn stacks knocked? What do you mean by knocked?—Stacks that had been built up were tossed about, and scattered over the ground.

3625. The same date, Pat Lully's also?—Yes.

3626. Were his stacks injured?—Some of his were, yes.

3627. Thady Kilgannon's also?—Yes.

3628. And Michael Mannion's also?—Yes.

3629. Were those men all tenants of Mr. Joyce?—Yes, Mr. Walter Joyce.

3630. And had they committed the offence of paying their rent?—They paid their rent.

3631. Did it come under your personal notice, what they did with their receipts for rent?—Yes, Mr. Joyce showed me the receipts that they had returned to him, the receipts that they had given him for rent were returned in order that they might not be found in their house if they were attacked again.

3632. “ 4th December 1880, 100 young trees pulled up by roots belonging to “ Mr. Smith ”?—Yes.

3633. “ Iron gate broken belonging to Martin Healy ”?—Yes.

3634. “ Two haycocks belonging to Martin Kennedy thrown down ”?—Yes.

3635. Do you know what these people had done to make themselves obnoxious?—The only possible motive that could be assigned as regards Smith was that he had refused to lend a saddle to a man who wanted to ride to a Land League meeting.

3636. Do you know that Healy had not joined the League?—No, he had not joined the League, nor had Smith.

3637. “ On the 15th December 1880, Mr. Timothy Mannion,” is his name Milter, or is he a miller by trade?—He is a miller by trade, the same Timothy Mannion.

3638. Did he receive this threatening letter:—

“ My dear Timothy Mannion, I strongly advise you to boycott Michael  
 “ Hadlan out of your Mill at once, as he is both a spy and a traitor, also an enemy  
 “ of the Country. There is not a word but he has told Lord Dunsandle's Agent,  
 “ so we want to put a stop to this base work. I want you, if you please, to clear  
 “ him out of your Mill at once. I trust you will take my advice on the subject,  
 “ as it is a general rule through the Country, and Mick is quite unworthy to treat  
 “ him otherwise.”

Do you know what the allusion to “ a general rule through the country ” was?—Not to deal with any person who was supposed to have any dealings with an agent or landlord, or who was called a spy.

3639. What was this Michael Hadlan to do with Mannion; he had sent his corn to be ground?—Oh, yes, he had sent his corn to Mannion's Mill, and Mannion returned it at once

3640. Unground?—Unground.

3641. On the 17th December 1880, there is another letter to Galvin. Was that the person who it was written to?—Yes, a man named Galvin.

3642. What was Mr. Galvin?—He was bailiff on the property of Mrs. Browne at Ahascragh.

3643. “ Galvin, if you do not give us the valuation of our rents at Cardfin, you  
 “ need not expect one penny; if you serve us as you did before with ejectments,  
 “ you will be carded, and worse than that, will be done to you and yours. Your  
 “ place is not very far from Rory.”

On the 18th December 1880 there was a letter to Michael Hadlan; was that the same man?—Michael Hadlan was the same man. It should be B not L.

3644. Had he taken land?—He had two pieces of land which had been surrendered.

3645. (*Sir C. Russell.*) Do you mean surrendered or evicted from?—I mean surrendered for reduction of rent. It was the same thing almost.



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3646. (Mr. Graham.) It was looked upon as the same thing. A man gave up rather than pay the rent, or he was evicted?—Yes.

(The letter was read as follows):—

“Ireland for the Irish. The land for the people. Irish National Land League, Loughrea. Mr. Michael Hadlan, I hereby give you notice to give up the Widow Hanly’s land, and give no more trouble about it. I am giving you one chance, and if you refuse it I shall deal with it as we have dealt with a good many more of your sort. So I thought you won’t give me any more trouble, for if you do, I shall pay you a visit which I am anxious for. By all accounts you are the greatest land-grabber I heard of yet. You better give it up at once, I have no more to say, but I remain,

“Yours truly,

“RORY OF THE HILLS.”

3647. And on the 23rd December 1880, was a notice sent to all Lord Dunsandle’s tenants generally?—A notice was posted on the road side.

3648. Posted in the neighbourhood you mean?—Yes, on the cars. The carding machine.

3649. (Reading on.) “Any man who will pay rent now will be boycotted and get the contents of this card. When you offered it before, why did not your landlord take it. If you wish to make a merry Christmas, pay no rent. If you go behind your neighbour’s back, we know how to manage you. Go no further if you don’t wish to be a boycott.”

What is the allusion of the contents of that card, do you know?—A card was posted up, beside the notice on the roadside, one of these implements that they use in carding wool.

3650. On the 30th December 1880, did a Mrs. Browne get a letter from the Secretary of the Murlagh Branch of the National League asking her to reinstate an evicted tenant?—The Secretary of the Murlagh Branch of the Land League.

3651. (Sir C. Russell.) Let us have the letter?—I have not got it.

3652. (Mr. Graham.) And on the same day did a man named Clarke get a letter?

(Sir C. Russell.) Kindly give me the name of the secretary of the branch you spoke of.

3653. (Mr. Graham.) I have not got the name. Do you know what was the name of the secretary?—Yes, a man called Holian.

3654. At the branch at Murlagh?

3655. (Sir C. Russell.) Where is that?—That is within five miles of Mount Bellew in the Athenry district.

3656. (Mr. Graham.) Clarke got a warning about some land that he had taken?—Yes.

3657. “To give up widow Kelly’s land, or death would be his doom”?—Yes.

(Sir C. Russell.) That is not from the secretary of the League.

3658. (Mr. Graham.) Do you know who that letter purported to come from?—The letter you have just alluded to purported to come from Holian, the secretary of the League, but a threatening letter was sent next day to Clarke, who was holding the farm which Holian alluded to.

3659. You have got that letter, have you?—Yes.

The same was handed in, and read as follows:—

December 28th, Tipperary.

Michael Clarke, my good grabber. Give up the last stick of land or death will be your doom.”

(Mr. Graham.) Then there is the picture of a coffin, and the picture of a man in it, and “Rory of the Hills” written underneath it.

3660. (Sir C. Russell.) That is the 28th December, 1882?—1880.

3661. (Mr. Graham.) It is 1880 on the envelope. It is addressed to Mr. Michael Clarke, Carrigahorig. Had Clarke taken a piece of land which had been given up by widow Kelly?—Yes.



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3662. The next date is the 31st of December—the following day in 1880 “Mrs. Browne’s hay maliciously burnt”?—Yes, two days after she also got a letter.

3663. Have you got the letter to her?—Yes, Mrs. Browne got a letter too.

*The letter was handed in, and read as follows:—*

“December 28th, 1880, Tipperary.

“Mrs. Browne, Carrigahorig,

“Take notice that you bring me to your Hall door. I will give you what Baker got.”

3664. (*Mr. Graham.*) And then there is a coffin there with a picture of a woman, and it is signed “Rory of the Hills”?—Yes.

3665. What is the allusion to Baker?—I do not know.

3666. That is addressed to Mrs. Browne, Carrigahorig, Post Office, Galway, that is the 28th. “Three days afterwards, on the 31st, her hay was burnt”?—Yes, a large rick of hay was maliciously burnt.

3667. On the 28th January 1881, was there a fire on Ellen Creaghan’s property?—Yes, some of her hay was maliciously burnt.

3668. What had she done?—She had taken a surrendered farm also.

3669. On the 28th January 1881, was there a threatening letter to Sir M. Crofton?—Sir Morton Crofton, yes.

3670. Who was Sir Morton Crofton?—Well, he was a stranger in the district. He had taken a house in the district for shooting purposes, a shooting lodge.

3671. A shooting tenant?—Yes, that is not an agrarian case.

3672. Do you know what he had done to make himself obnoxious?—The bailiff of the property wanted to get rid of him, or the stewards rather of the property, wanted to get rid of Sir Morton Crofton.

3673. “On the 21st of March 1881, poisoning cattle, John Doherty”?—Yes, Doherty’s cattle were poisoned.

3674. That is the man you have already spoken of. The man who was murdered?—Yes.

3675. “On the 29th of May 1881, a threatening letter to Martin Monaghan.” Who was Martin Monaghan?—Martin Monaghan was a man who had taken a surrendered farm.

3676. “On the 11th June, a threatening letter to Michael Clasby.” What had he done?—Michael Clashy was a shopkeeper at Claugwell, and he had taken a surrendered farm. I think it is 1882, not 1881.

3677. “The 14th of June 1881, intimidation and unlawful assembly; process “server, John McLaughlin”?—Yes, he went and served some processes, and a crowd gathered round him. He fled for his life, and a crowd chased him across a field until he took refuge in a house.

3678. Was he serving processes in reference to land?—Processes for rent, yes.

3679. “On the 16th June 1881, a threatening letter to John Donoghue, for dealing with Clasby”?—Yes, the Clasby who is already mentioned as taking a farm.

3680. Was Clasby boycotted?—Yes.

3681. And what was Donoghue, a shopkeeper?—No, a labourer who used to deal at Clasby’s shop.

3682. “On the 19th June, another threatening letter to Michael Clasby.” I suppose that is the same man?—The same man.

3683. “27th June, another threatening letter to Michael Clasby. On the 28th June, “a threatening letter to Walter Laisten”?—Walter Lambert it should be.

3684. That is the one that was afterwards shot?—No. Walter Burke was shot. Walter Lambert is alive still. He was under police protection.

3685. He was shot at, I believe?—No. Mr. John Lambert was shot at.

3686. What was Mr. Walter Lambert?—He was a landlord who had some trouble with his tenants, and had police put for the protection of his life. He lived near Athenry.

3687. “On the 18th July 1881, malicious injury to Baldwin and Kennedy.” Do you recollect what the injury was?—Yes, there were some iron pins stuck in a meadow,



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they were about to cut with mowing machines, and the knives in the machines were broken in consequence.

3688. Baldwin and Kennedy, were they farmers?—No, they were in the employ of Mr. Goodbody, and the farm they were about to mow was one from which a landlord had evicted a tenant.

3689. Who were the owners of the machine?—Mr. Goodbody was the owner of the machine, and they were his workmen—no, I am wrong, Baldwin was the owner of the machine.

3690. “On the 19th July 1881, intimidation of C. Kennedy.” Do you recollect what that was?—Christopher Kennedy, the same man who was cutting this meadow with Baldwin.

3691. Do you know what the nature of the intimidation was?—It was a threatening notice.

3692. “31st July 1881, threatening letter warning Mr. Lambert’s labourers not to “cut his hay for him”; was that the same Lambert?—That was Mr. John Lambert who was fired at.

3693. “The 8th August 1881, threatening notice against Lord Dunsandle. The “11th August 1881, shots fired into Egan’s house and threatening letter on door “warning him to leave Mr. Lambert’s employment. 15th August 1881, threatening “notice warning people not to employ J. Carney.” Who was he?—He was the owner of cars in Athenry, and he was in the habit of letting the police his cars to drive to evictions and to different duties.

3694. “15th August 1881, notice warning Gilligan to leave Mr. Lambert?”—Yes, he was his butler.

3695. “17th August 1881, threatening notice warning Mr. Burke not to work with “Corbet and Fury.” Is that the Mr. Burke who was murdered?—Yes. Corbet and Fury had given evidence with regard to the process serving.

3696. And were they boycotted?—Yes, nobody would work with them in consequence of their having given that evidence.

3697. “19th August 1881, Thomas Madden’s windows broken?”—Yes.

3698. “6th September 1881, 20 horses tails stripped at Tallowros boycotted farm.” Do you mean that the hair was cut off their tails?—Yes, the horses disfigured, not actually cut.

3699. Who did that land belong to?—It was on the property of the Earl of Perth, but it was boycotted for some time; people did not wish anyone to take it, it was commonage, but it was occupied by a man called Kennedy.

3700. Kennedy was occupying the farm?—Yes.

3701. “On the 11th September 1881, poison placed on Goodbody’s land, sheep “died?”—That is the same place where the mowing machine was injured.

3702. Was that on what you have called a boycotted farm?—Yes.

3702a. And the sheep were killed by the poison, were they?—Yes.

3703. “On the 13th September 1881, ears cut off Molloy’s horse?”—Yes.

3704. Who was Molloy?—He was a tenant of Lord Dunsandles; he was suspected of having given some information to the police.

3705. “On the 17th September 1881, threatening letter warning Hynes to leave “Dr. Davis’ employment; at once obeyed.” What had Dr. Davis done?—Dr. Davis had evicted some tenants some years ago, and not reinstated them; he built a house on their farms.

3706. Hynes was working for him, was he?—Yes, he was boycotted in that way.

3707. When he got the notice he left, did he?—Immediately after, yes.

3708. “On the 22nd September 1881, hair cut off horse’s tail. D. Corbet?”—A man called Denis Corbett, a tenant of Mr. Lamberts.

3709. “On the 25th September 1881, threatening letter to Mary Burke for herding “for Clasby?”—Craughwell Clasby, who was boycotted.

3710. He was holding a boycotted farm?—And she was caretaking that farm.

3711. “On the 26th September 1881, notice threatening station master Brown if he “did not discharge Kennedy?”—Kennedy was in the employ of Mr. John Lambert, who was boycotted at the time.

3712. Was Kennedy employed at the station at this time?—Yes.



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3713. On the railway?—On the railway; he used to work for Mr. Lambert occasionally.

3714. Were some of his relatives working for Mr. Lambert. Here is a note, "Kennedy's friends worked for Mr. Lambert"?—Yes, that was the reason he was obnoxious.

3715. "28th September 1881, Martin & Pat. Kennedy's sheep plucked on Tallowros Farm"?—That is the same farm, belonging to the Earl of Perth.

3716. Do you mean the wool was plucked off?—The wool was torn off their backs; the sheep were bleeding.

3717. The sheep were bleeding, do you say?—Yes, in some of the places where they were plucked.

3718. Where the wool was torn off?—Yes.

3719. "On the 25th September 1881, threatening notice to Morning, herd to McDonagh, who took one of Dr. Davis' farms." Is that the same sort of thing, an evicted farm?—Yes, that same Dr. Davis whose man was threatened. Hynes was threatened; you have mentioned it.

3720. McDonagh had taken the farm, and Morning was working as herd?—Yes.

3721. "On the 7th October 1881, threatening notice to Niele Shaughhassey if he sold any more milk to R.I.C." That is the Royal Irish Constabulary?—Yes, to the police.

3722. "On the 26th October 1881, threatening notice to Kelly, Niland, Martin and Burke, warning them to give up land." Is that the same sort of thing?—Yes, they had taken a little piece of land from Mr. John Lambert.

3723. Was it land from which others had been evicted or had surrendered?—I really forget; I do not know.

3724. "On the 2nd November 1881, the murder of Peter Doherty." That is what you have spoken of before?—Yes.

3725. "On the 5th November 1881, threatening letter to Mike Reilly," warning him to give up the bailiffship, which he did?—Yes.

3726. Was he bailiff to the court or what?—No, he was bailiff on the property of a Mrs. Fitzgerald Kenny.

3727. "On the 11th November 1881, threatening notice warning tenants to pay no rent and Constable Regney if he tore down notice"?—Yes.

3728. "12th November 1881, threatening notice to Emergency men, warning them to leave their employment on pain of death" Those men were men working on boycotted farms?—Working for Mr. John Lambert, who was boycotted.

3729. "19th November 1881, slate put up at John Doherty's with grabber & coffin on it"?—Yes.

3730. That was after his murder?—Yes. John Doherty was the cousin of Peter Doherty, who was murdered, and whose house was fired into on the night of the murder.

3731. A slate was put up?—A slate or tablet to his memory.

3732. With grabber and a coffin on it?—Yes.

3733. "11th November 1881, heifer of Mr. Lambert's killed by having its shoulders smashed with some blunt instrument like a hammer." Did you see it?—I saw the broken leg; the wound.

3734. The shoulder of the animal was smashed?—It was smashed to pieces by the hammer. The shoulder was broken.

3735. "On the 5th December 1881, threatening notice, warning tenants to pay no rent (Killecummore)." Is that where the farm is?—Yes, on the property of Mr. Lambert. He was going to collect the rent the next day and no one came into his office.

3736. Do you know, as a fact, that they paid no rent?—I know they did not come into his office when he went there; not a single tenant turned up.

3737. "9th December 1881. Two stone walls broken down and 120 head of cattle driven to field where they trampled 3½ tons of hay. Morning the herd is obnoxious for remaining in Mr. Donagh's employment," was that the same?—Yes, on Dr. Davis' land.

2738. And these cattle were turned into some grass that was standing for hay?—Yes, same meadow land.



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3739. "On the 11th December 1881 a notice calling on people to boycott Walter Burke as a tyrant." "On the 22nd December 1881, threatening letter to Pat Rafferty and Michael Newall, warning them to leave Walter Burke's employment"?—Yes.

3740. Was that the Burke who was killed?—Yes, Walter Burke who was killed.

3741. "On the 26th December 1881, tail of a calf cut off, and gates thrown down, because owners, Size and Hawbury, were on friendly terms with Madden, who was boycotted"?—Yes, Thomas Madden, whose hay was burnt, and whose house was burnt.

3742. "On the 6th January 1882 Arthur Hannery was seriously assaulted, because he was believed to be friendly to the police"?—His name is Flannery.

3743. "11th January 1882, Walter Smith fired at"?—Yes.

3744. What had Walter Smith done?—He had turned out a herd; evicted a herd.

3745. Do you mean gave up employing him?—Turned him out of his employment, and out of the house he occupied as herd.

3746. "1st February 1882, threatening notice to Canon Roe, warning him not to employ Carney's cars"?—Yes.

3747. "3rd February 1882, firing into the dwelling-house of Pat. Copinger, who took a surrendered farm"?—Yes.

3748. "On the 5th February 1882, threatening notice warning any person who would pay rent that he would be murdered." "11th February 1882, letters threatening Mr. Walter Lambert with death. 17th February 1882, similar letter to Frank Joyce, agent"; have you got any of these letters?—Yes, the 11th February 1882 was the date.

3749. This is addressed on the 11th February 1882, Walter Lambert, Athenry, "Walter, you will soon meet the fate Walter Smith has met, for I am the man who was never taken yet, and was with him." Now, do you know what happened to Walter Smith?—He was the man that was fired at; you have just mentioned it.

3750. Have you another?—One to Mr. Frank Joyce; the one you have read.

3751. Frank Joyce, he was agent, was he not?—Yes.

3752. To whom?—At that time to Mr. Walter Lambert.

*(The document was put in and read as follows.)*

"Frank, I will soon pay you the same visit I paid to Walter Smith, for I was the man who was with him that night. I hope you will be at home. Ah! ah! ah!"

3753. "On the 20th February 1882, threatening notice calling on people to boycott John Donoghue, because he paid his rent." Have you got those letters?—No, I have not.

3754. "24th February 1882, 900 fir trees torn up and destroyed. Rev. J. G. Rainsford, agent, asked for rent a couple of days before, and threatened proceedings." Were those trees on the farm to which he was agent?—Yes, those were young trees just planted; it was very easy to pull them up.

3755. But on the farm that he was agent?—Yes, Smith was the agent.

3756. Whose agent was he?—Mr. Smith was the agent of Mr. Rainsford.

3757. "25th February 1882, malicious injury, Reilly's donkey horribly houghed; he paid his rent a few days before?—Yes, to Mr. Lambert.

3758. Had the donkey to be killed?—Yes, it was shot at once; the leg was hurt; nearly severed.

3759. "On the 1st of March 1882, notice threatening death to anyone who would buy meadow from Mr. W. Burke."—Mr. Walter Burke.

3760. What was buying meadows? Was it a bit of land that was for sale?—No, he was in the habit of selling his meadows as they became ripe.

3761. Selling the grass, you mean?—Yes.

3762. "On the 7th of March 1882, threatening notice, threatening John Doherty with the fate of Peter if he continued in Mr. Burke's employment. The 13th March 1882, stones placed on road to-night to upset police car; man thrown off. 9th April 1882, shot fired into Pat. M'Taghoe's house, only motive is that he paid his rent.



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" 16th April 1882, the house of widow Mary Burke fired into, and a quantity of her potatoes torn up and destroyed because she continued to herd for Clasby. 24th April 1882, threatening letter to John Moore, a herd on Mr. Langar's employment." What had Mr. Langar done?—Mr. Langar had evicted a tenant.

3763. " On the 27th April 1882, letter threatening Mr. Lambert if he did not use his influence to have a suspect prisoner released." What was the prisoner in charge for?—The prisoner was charged for conspiracy to murder Patrick Finegan; he was afterwards found guilty.

3764. " 2nd May 1882, notice warning B. Perse's labourers to leave if he did not increase wages. 14th of May 1882, a wall of Mr. Bourke's knocked down, and notice pasted threatening anyone who would rebuild it. 18th May 1882, robbery of arms from Denis Crowe by moonlighting party; also visited Connolly's house, but he threatened to fire on them, and they went away," Connolly, I think, has been mentioned before?—No, not that one, there are a great many of them there.

3765. What had this Connolly done?—He was working for Denis Crowe. His house was visited first.

3765. Working for a man who was boycotted?—Yes.

3767. " On the 18th May, sheep belonging to Pat Finn killed and thrown into a pond of water." Pat Finn, what was he?—He had taken a surrendered farm.

3768. " 4th June 1882; notice threatening anyone who would take a farm from W. Lynale " ?—I do not know any such name as that. I do not know about that case.

3769. " 8th June 1882, Bourke murdered " ?—Yes, Mr. Walter Bourke.

3770. 18 June 1882, Mr. Lambert received a letter warning him that he would soon be murdered. He was abused in the 'Tuam News' as a rack-renter and evictor." That is a local paper, I believe?—Yes.

3771. Have you got the paper?—I have not got the newspaper.

3772. Not this particular copy?—No, I have got the letter.

3773. Whose property was it, do you know?—It belonged to Mr. McPhilpin, a Catholic curate in Athenry.

3774. Did he take any part in the League?—He was President of the Land League at Athenry.

3775. (*Sir C. Russell.*) You told us before, he was the Secretary?—I beg your pardon; I mean the Secretary.

3776. This was in the "Tuam News"?—Yes.

3777. (*Mr. Graham.*) And Mr. Lambert was abused in the paper you say?—Yes.

3778. " The 19th June 1882, letter threatening John Doherty; threatened with his masters fate if he did not give 'up herding' " ?—His master was Walter Bourke.

3779. Who had been shot?—Yes.

3780. " 19th July 1882; letter received by Mr. Lambert threatening him with death. 2nd August 1882; threatening notice warning 'Egan to give up the herding' for Mr. Lambert. 12th August 1882; notice posted warning Niland to cease working for Mr. Lambert on pain of death. 16th August 1882; another malicious injury to Finn. 1st September 1882; incendiary hay burned belonging to Rafferty, probably a mistake for Pat Molloy's hay, who was obnoxious to League. 17th September 1882; threatening notice warning the people not to buy hay on Robinson's Estate." Who is Robinson?—Robinson is the agent on the Berridge property, in Connemara, but he owns a little property in Athenry, and his meadows were boycotted also.

3781. " The 30th September, 1882; malicious injury to hay. Pat Callaman, because he paid his rent and did not keep up to the Land League " ?—He was called a rotten leaguer.

3782. A rotten land leaguer?—Yes, that is what he was called.

3783. Then what was done to his hay?—His hay was burned and tossed.

3784. " The 5th October 1882; Pat Molloy's hay burned because he did not join the Land League " ?—Yes.

3785. Who was Pat Molloy?—He was a man who was supposed to own the hay of Rafferty's that was burnt.

3786. What sort of position was he in? About how much land did he occupy?—He had about 10 acres of land on Lord Dunsandles property.

3787. Was that a rick of hay that was burnt then?—It was a large cock of hay.



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3788. "The 30th October 1882 letter threatening Pat. Doherty with death if he sought compensation for his son's murder"?—It should be Peter—Pat. Doherty was the father—who was murdered.

3789. The son was murdered, was he?—Yes.

3790. "The 30th December 1882 notice threatening any one who would drive Dr. Bourke or his agent, Sams"?—Yes.

3791. "The 14th December 1882. Threatening notice to Mr. Blake because he took a farm surrendered by another man. The 21st January 1883, notices threatening death to anyone who would work for Dr. Bourke"?—Yes.

Cross-examined by Sir CHARLES RUSSELL.

3792. How long have you been inspector?—For nine years.

3793. From when?—1879.

3794. And how long were you in the force before that?—That is the date of my appointment as an inspector to the force.

3795. And where were you then stationed?—I have been stationed in County Cavan first, and then at Athenry, in County Galway, and then at Athlone, County Roscommon.

3796. Athlone is on the border of two or three counties, I think?—Yes, the river divides Athlone from the other counties.

3797. What part of the country are you from yourself?—From King's County.

3798. Kindly tell my Lords the extent of the area which comprises the district from which this account of crime has been collected?—The district is about 20 miles long by six miles broad.

3799. That will be 120 square miles?—Yes, about that. It is not the same width all through, but that is nearly it.

3800. Approximately?—Yes.

3801. What places does that district comprise?—It stretches from Craughwell to a place Menlagh, near Mount Bellow, County Galway. Mount Bellow is marked on that map.

3802. I did not hear what you said?—The district stretches from Craughwell to a place called Menlagh, near Mount Bellow.

3803. Is that from north to south?—That is from north to south.

3804. And is Craughwell north of Athenry?—No, Craughwell is south-west of Athenry.

3805. Then Athenry is more northerly?—It is the northerly district. It is from south to north.

3806. Give me the boundaries from east to west. There is a place called Kiltullagh. Is that east or west?—That is on the east, and a place called Sesna Ford on the west. Castle Ellen is marked on the west, I daresay.

3807. Now the account you have given us is the entire account of all the crime reported in this district?—Almost all the crime.

3808. Extending from October 1880 down to January 1883?—Yes.

3809. Is that a district principally of small holdings?—No, there are some very large farms in the district.

3810. Is it a district principally of small holdings?—No, not principally.

3811. Not principally of small holdings?—No.

3812. What do you call a small holding?—Well, from 6 to 10 acres I call a small holding.

3813. And is it a district of 10 to 15 acres; 20 to 30 acres, or what?—More than that. There are a good many farms of 30 to 40.

3814. There are a good many farms from 30 to 40 acres?—Yes.

3815. But the great majority are below that?—I would not say the great majority are. I think the majority are the larger holders in the district. There are very large grazing farms in that district.

3816. To what extent, do you say, is the proportion of large to small holdings?—Well, certainly half, I should say.

3817. Do you mean half the number or half the land?—I should say half the number of tenants are large and half small—equally divided.



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3818. You fix the limit of a large farm, I understand, at 30 acres?—Yes, there are a great many such; that is the average.

3819. You include the farm that is above 30 acres as a large farm?—Yes.

3820. And those below 30 acres you think are not in the majority?—I think so.

3821. I put it to you, are not those below 10 acres in the majority?—I do not think they are.

3822. Just see if this is correct. Is this a correct description of this record that you have given us, to say that far the worse period of the whole is from the winter of 1881 to the autumn of 1882?—No, the worse period is from about August 1880 to the end of 1882.

3823. Well, well, you know, that includes that?—The winter of 1881, you said.

3824. The winter of 1882, I mean to say. I said from the winter of 1881 to the autumn of 1882?—I say from the autumn of 1880 to the autumn of 1882.

3825. I presume that will appear from the examination of this return?—Yes.

3826. Now, you mention a number of landlords in this locality?—Yes.

3827. Let me see if I have got the record correctly. Lord Dunsandle?—Yes. He owned a large portion of my district.

3828. To what extent?—Well, he owned an extent of land for some five miles—bog land—the worst part of the district was in Lord Dunsandle's own hands.

3829. You mean bog land?—Yes, poor land.

3830. How many tenants has he?—A great number of tenants. I say that much is in his own hands.

3831. About how many tenants has he?—I really could not fix the number.

3832. But about how many?—I suppose he has over a thousand tenants. I really do not know, though, for certain.

3833. His land extends, you say, for about five miles?—That part is in his own hands.

3834. That is only part?—Yes.

3835. And the part that is tenanted by the thousand tenants, more or less?—That extends a long way into three other districts. The part I am talking of was in my own district, and in his own hands.

3836. Do you mean to say there were no tenants of Lord Dunsandle's in your district?—Yes, I say mostly was in his own hands.

3837. How many tenants in your district?—Between 60 and 100, I should say.

3838. Lord Clanricarde?—Yes, part of Lord Clanricarde's was in my district.

3839. How many of his tenants were in your district?—I suppose there were some 250.

3840. Of course I am taking this from you approximately?—Approximately. I cannot tell you the accurate numbers.

3841. Mr. Blake?—Well, very few in my district; only about 20.

3842. That is to say, part of his estate only was within your district?—All these gentlemen had estates in the Loughrea district as well. They only extended to mine.

3843. Mr. Walter Burke, I think, you mentioned?—Yes.

3844. What extent of property had he?—Well, he had about 700 acres on his Rahasane property in Galway, and, I suppose, about 40 tenants in my district; all his property was in my district.

3845. Mr. Lambert?—Mr. Walter Lambert, of Castle Ellen, has, I should think, approximately about 200 tenants. He owns the town of Athenry.

3846. And John Lambert?—And John Lambert. Well, his property is worth 1,500*l.* a year, say, to him. And I suppose he has about 60 tenants—60 to 100. I really do not know the number of his tenants.

3847. The Earl of Perth?—The Earl of Perth has only a few town lands, and very few tenants.

3848. About how many?—About 15 or 20 I should say.

3849. And the Rev. M. Rainsford I think you mentioned?—The Rev. M. Rainsford; I suppose he has from 15 to 20 tenants, about. His property is very small.

3850. Now tell me this please: Do these landlords that you have mentioned, comprise the names of the principal landlords in your district, or are there others that you have not mentioned?—There are a great many others that I have not mentioned.



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3851. Mention the others then?—Well, there is Mr. French, of Monivea Castle. He has a large property.

3852. In your district?—In that district; yes.

3853. Mr. French?—Of Monivea.

3854. I do not think you have mentioned any alleged outrage in connexion with his property?—No, there was no Land League branch at Monivea where he lived.

3855. Were there evictions on his property?—I do not think there were; I do not think so.

3856. Did he make reduction in his rents?—Yes; he is looked upon as a very indulgent landlord; he was at that time.

3857. And there was no Land League there, and no outrages upon or in relation to his property?—I do not think there were. Of course, there were the minor class of assaults and that sort of thing.

3858. Now who else can you mention as a considerable landowner?—Well, Lord Clonbrock owns a great extent of moor in that district, and Sir Henry Bellew.

3859. Take Lord Clonbrock. Have you mentioned any outrage in connexion with his tenants or property?—I do not think I have. No, none of those, I think, refer to his property.

3860. Had he had any evictions?—Not to my knowledge.

3861. Had he made considerable reduction in his rent?—I do not think so. I think his rent is rather lowly let.

3862. You mean fairly?—I mean very lowly let. I do not know; I do not value land myself.

3863. You heard no complaint about the rents he was charging his tenants?—No, I have not heard any complaint of that sort.

3864. Was there any Land League there?—Not in the immediate neighbourhood of his property.

3865. So that he was apparently on good terms?—Yes.

3866. No evictions and no Land League?—No.

3867. You were going on to mention Sir Henry Bellew?—Yes.

3868. What number of tenants has he?—I really could not say. I suppose I could not even make a guess. He has very large property.

3869. A thousand, say?—I suppose he must have that, but I really do not know.

3870. Are any of the outrages to which you have referred on his property, or in connexion with his tenants?—No, not that I remember; well, some of the outrages that were perpetrated on Mrs. Brown of Carrigahorig have reference to Sir Henry Bellew. She is the immediate owner of his property.

3871. Is she middle man or middle woman?—A sort of middle man.

3872. I do not know that my Lords are familiar with that term. Does that mean that Sir Henry Bellew has let on lease or otherwise, the whole of his property to the middle man or middle lady, she paying the agreed rent as between him and her, and she assuming the position of landlady or landlord of such tenants?—That is the description of a middle man. He pays a head rent.

3873. Was that her position?—Of Mrs. Brown? Yes, I believe so.

3874. Have there been any evictions upon her property?—Only one, I think, as well as I can remember.

3875. Are there any other landlords besides those you have now mentioned?—Yes, a great number of landlords.

3876. Mention any of the considerable ones?—Well, there is Mr. Walter Lambert, of Castle Ellen. He is another Mr. Lambert.

3877. I think you did mention him before?—Perhaps so. And there is Mr. Mahon has some property in Galway in that district; and Mr. Churcher, who is non-resident, has a large property in that district.

3878. You say he was non-resident?—Yes.

3879. Is Lord Dunsandle resident?—He lives within five miles of my district, but not on this property.

3880. He lives on his property?—He lives on his property.

3881. But not on this property?—Well, there is no division between them.

3882. Lord Clanricarde, is he a resident?—No.

3883. What was the name of the gentleman you said was not resident?—Mr. Churcher.



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3884. Have you now exhausted the considerable landlords of the place?—I have not, I am sure; but I really cannot tell you any more.

3885. There were evictions on Lord Dunsandle's property?—Not in my district, no.

3886. Were there evictions on Lord Dunsandle's property, part of which runs into your district?—Not that I am personally aware of. You have already heard of one.

3887. I am asking you, do you not know there were evictions on Lord Dunsandle's property?—I have seen reports.

3888. Just be careful about this. How many?—Well, I know of one certainly, the eviction of Martin Birmingham; I do not know of any other.

3889. Do you suggest there is no more?—I do not at all suggest, but I do not know.

3890. Have you heard of ejectment notices being served upon Lord Dunsandle's tenants?—Not at that time.

3891. At what time are you talking of?—The years you are referring to, from 1880 to 1882.

3892. You did not hear of any evictions of Lord Dunsandle's tenants this year?—I did not. I do not think any evictions took place.

3893. Did you hear of any on Lord Clanricarde's property?—Not in my district, no.

3894. Well, Lord Clanricarde's property, part of it runs into your district?—A great many miles, or over 20 miles from Portumna.

3895. In Loughrea direction?—Yes.

3896. And any in Mr. Walter Blake's?—Yes, there were three evictions that I remember, there were very few evictions in my district.

3897. Walter Burke?—Mr. Walter Burke had not actual evictions, but he had taken out processes against three tenants when he was murdered.

3898. Walter Lambert?—Not at that time. There was no eviction on Mr. Lambert's property. Since there have been.

3899. Had he taken out ejectment processes?—I think so. A great many ejectment processes were issued, but when it came to proceedings the tenants generally paid up.

3900. A great many ejectments, however, were issued?—Yes.

3901. And Mr. John Lambert?—Mr. John Lambert, the brother, one eviction certainly.

3902. What was that?—Which caused some trouble in the neighbourhood—a man called Corbett.

3903. Were there a number of processes issued which did not mature into evictions?—I believe he had a number of processes, but they were not in my district.

3904. You had taken part in evictions yourself?—Yes, I have. I have been in charge of men.

3905. You have very often?—Yes.

3906. In your own district and outside your district?—Outside my own district.

3907. Principally?—Principally outside my own district.

3908. Where?—Well, on Mr. Blake's property that you referred to just now. There were some evictions outside my own district in Loughrea district, and on Mrs. Fitzgerald Kenny's property, near Murlagh. I have protected the sheriff, and in the West Riding of Galway, I have been out with detachments of military on Murlagh Island, and the land and coasts several times.

3909. Now in every case, I understand you to say there was one, as to which you corrected my friend, Mr. Graham, which you said was not accurate, but in all the cases you have given, you trace the cause directly or indirectly to agrarian causes?—Yes, they were agrarian motives.

3910. You draw distinction, I notice, between surrendered farms and evicted farms?—Yes.

3911. Surrendered farms are farms which the previous tenant has been compelled to give up, or has given up because he is unable as the tenant alleged to bear the rent that was upon it?—Not exactly. A surrendered farm is a farm that a tenant gives up to his landlord, he having demanded a reduction of his rent, and his landlord refusing, he no longer pays that rent, and will not pay it, and he gives up that farm.



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3912. In other words, he says the rent is too much?—I suppose he does say so.

3913. You are putting it one way and I the other, you see. In such a case as that, there has sprung up a feeling in the country against anyone else taking it?—There was in those years.

3914. And is still?—And, indeed, is still.

3915. And has been as long as you can recollect. You are not a very old man?—No, I really cannot speak before 1880. I do not think there was that feeling before 1880.

3916. Then, as regards farms from which tenants have been evicted, there is an equally strong feeling?—There was in those years, and in still.

3917. Do you mean to suggest that that feeling has only existed since 1880?—I cannot speak from any knowledge of the subject before 1879, when I joined the force, but such is my impression, that in 1880 it was very strongly intensified.

3918. Whether it existed at all, or to what extent you could not say, but you consider it was intensified?—If it existed at all before 1880 I believe it was strongly intensified in 1880.

3919. I do not know whether you know that proceedings were taken, in view of the Land Act, which was announced by landlords before that Act came into operation in your district?—Do you mean proceedings taken by landlords for the recovery of rent?

3920. Were proceedings taken by notice of ejectment?—I do not know.

3921. What?—I do not know.

3922. Have no such cases come under your notice?—No, I cannot say that there have. There may have been at the time, but I really forget any such cases. It is really no part of my business to know such cases.

3923. If you do not know I should not think of pressing you upon it. Do you really tell my Lords that you do not know that in order to defeat the Act of 1881 landlords served ejectments in Galway largely?—I really do not know.

3924. And have not heard it before?—And have not heard it.

3925. You do not discuss these matters apparently?—Well, it is no part of my function to investigate those things.

The Court adjourned for a short time.

3926. Now you have told us that all these were attributed to agrarian causes. Let me just see what those were. First of all, differences as between landlords and tenants; boycotting of persons who were supposed to work for landlords or their agents who were at ill-will with the tenants; those are the two main categories, are not they?—Yes; but it is the tenants ill-will against the landlord rather than the other way.

3927. Very well, the ill-will between them, we will say?—Yes, certainly.

3928. I did not mean to put it in the other form. You do not mix with the people very much yourself, I suppose?—When I was in charge of my district I mixed a great deal with them.

3929. You did?—A very great deal indeed.

3930. Was there much distress in 1879 in any part of your district?—In 1879 I do not know about. In 1880 of course there were individual cases, but there was nothing general—no general distress in my district.

3931. Do you know that district of Craughwell to which you have referred?—Yes.

3932. Was there any distress there?—There were individual cases, but no general distress.

3933. Is Craughwell a town-land or a parish or what?—It is a parish and a village.

3934. Families in Craughwell, I suppose, would consist of about an average of six each?—Well, I suppose you might put it at that, yes.

3935. Were there as many as 300 people destitute in Craughwell in the beginning of 1880?—Do you mean absolutely without food?

3936. Well, I do not know. They might be eating skins of potatoes, or what not; but I am putting a phrase which I used deliberately—destitute?—I do not think there were. From my knowledge I would not say so.



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3937. Eating their last potatoes—destitution likely to increase. Would that be a true description of Craughwell, the place you refer to?—Well, really I did not observe.

3938. Gort is not in your district, I think?—No.

3939. As it is one of the places referred to I will ask you this: “Many actually “starving; 2,000 persons. Likely to increase.” What do you say to Athenry?—I say there were individual cases of distress, but no general distress.

3940. Would you say there were a 1,000 persons destitute?—I certainly should not.

3941. “Sure to increase. The number will double if no work given”?—I do not think so. There was plenty of employment. This is in 1880 I am talking of.

3942. I am talking of 1880 too. What do you say to 43,260 persons destitute in Galway?—In Galway county?

3943. Yes?—I daresay it is quite possible, because there was great distress, I believe, on the islands round the coast of Galway.

3944. This may include the islands; but I do not think it does?—I do not know. There is a large population there which I am sure were distressed.

3945. In the adjoining county of Mayo, 64,509?—That, again, is a coast-lying county, and I am sure there was a good deal of distress on the coast.

3946. Now, I want to ask you with reference to two or three incidents you have mentioned. Is Mr. McFilpin, the curate of Athenry, living?—I believe so; he is not at Athenry now.

3947. He is described by you as secretary of the Athenry branch. Where is he, do you know?—I really do not know. He left Athenry after he was prosecuted.

3948. When was that?—In 1882, I think it was.

3949. What was the charge?—The charge was intimidation. He was bound over to keep the peace for 12 months.

3950. Was that at an eviction?—No.

3951. Where?—It was language that he made use of from the altar in chapel.

3952. And he, I understood you to say, was the proprietor of the “Tuam News”?—I believe he was the proprietor.

3953. You have said so?—Yes, I believe it.

3954. Was the meeting, at which you heard him speak, in his own district?—No, it was not; it was in an adjoining parish.

3955. It was in his own county?—I really do not know what countryman he was. It was in the county of Galway, not in his own parish.

3956. I mean the county in which he was a curate?—Certainly.

3957. And in an adjoining parish?—And in an adjoining parish, yes.

3858. However, you have no reason to suppose that he is not forthcoming?—I never heard of his death, and I am sure he is forthcoming.

3959. Again, as to the Rev. Mr. Considine. That was at Craughwell?—At Craughtwell meeting I heard him.

3960. Where was he curate or priest?—He was curate of an adjoining parish, not in my district. I really do not know what parish he was of. He is now at Ardahan.

3961. Did you take any notes of the speeches on either of these occasions?—No actual notes at that time, but I made a report at night to my authorities in the usual way.

3962. You do not pretend to give, with any accuracy, the speeches, I presume?—No, I said so. I do not remember the speeches at all. There are notes of the speeches, I think, that were taken though.

3963. Oh! there were notes of the speeches taken?—I think there were notes taken of the speeches by a shorthand writer.

3964. Can you tell me the name of the shorthand writer?—I believe it was head-constable Irwin, I am not quite sure—Craughwell.

3965. Now, in reference to one case, you mentioned the man Doherty who took a farm of Mr. Blake's; was that an evicted farm or a surrendered farm?—Mr. Burke's. It was Burke's, not Blake's.

3966. Was it a surrendered or an evicted farm?—It was a surrendered farm.

3967. And he and his brother, I understand, jointly occupied it?—No, he and his first cousin, John Doherty.

3968. I thought it was his brother?—No, first cousin.



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[Continued.]

3969. You have said that two persons were found guilty for conspiring in that case, to murder, was it?—Conspiracy to murder. They were charged with murder. They were found guilty of actual murder.

3970. They were, were they?—I think they were found guilty of murder. Yes, they were. They were sentenced to be hanged, and the sentence was commuted.

3971. Was one of them a policeman?—One of them was a policeman of my district.

3972. What was his name?—Muldowney.

3973. Now one other point. Will you give me the date, please (or if my friend Mr. Graham will give it me, I shall be obliged), of the letter which you said was written by the Secretary of the Menlagh branch, one Holian?—It was two days before Mrs. Brown received her letter.

3974. You have told us that. Perhaps I can get it. Would that be the 26th of December 1880?—I believe it was; that is the date of Mrs. Brown's letter, and she received the letter from the secretary two days before.

3975. Did that letter purport to be written by Holian, and with his name signed to it?—Oh, yes.

3976. Did Mrs. Brown give you the letter?—She did. I returned it to her afterwards.

3977. You have not asked her for it since?—No.

3978. I suppose you could obtain it?—I do not know whether she has it still. It is so long ago. I have not had anything to do with it since.

3979. Will you tell us the purport of the letter?—Yes, the purport of the letter was requesting Mrs. Brown to be kind enough to reinstate the widow Kelly in the farm from which she had been evicted. The letter went on to say that widow Kelly had been in Mrs. Brown's employment for some time, and the writer hoped that she would be reinstated, and that by reinstating this woman Mrs. Brown would deserve considerable popularity, or some words of that sort.

3980. It was an appeal on behalf of Mrs. Kelly?—It was; yes.

#### Re-examined by the ATTORNEY-GENERAL.

3981. The last name you mentioned in connection with crime was some man named Muldowney, a constable?—Yes.

3982. Do you know whether he was in any way connected with the Land League?—I know from the sworn evidence at the trial that he was.

3983. (*Sir C. Russell.*) Were you at the trial?—I was present at the trial.

3984. (*The Attorney-General.*) Yes, the sworn evidence at the time was what?—That he was connected with the Land League, and with secret societies as well.

3985. Do you remember what branch?—I do not. There was no particular branch mentioned.

3986. I want to ask you, if you please, with reference to your own experience; you have been first asked about the landlords. Among others you mentioned Lord Clanricarde's name?—Yes.

3987. You said you had heard of some eviction proceedings in connection with Lord Clanricarde. Try and think when did you first hear of any difficulty between Lord Clanricarde and his tenants; about what year?—I think it was in the year 1883, as well as I remember.

3988. Are you quite sure whether there was any difficulty in your district or in your neighbourhood between Lord Clanricarde and his tenants before 1885?—I really cannot say. There was no such thing as a regular combination against him in my district before that date. But there was not very much of his property in my district and it was very lowly rented—half-a-crown an acre.

3989. When was it, do you say, that there was, to your knowledge, a regular combination against him?—Well, the regular combination commenced at the end of 1885 or the beginning of 1886 in Craughwell; they took up the combination which was set on foot on other parts of his property which I do not know about.

3990. Then, I understand this Craughwell part, where they took up the combination, was the low rented part?—Very lowly rented.

3991. You have been asked, and have told Sir Charles Russell, and also Mr. Graham, that there were not Land League branches in some of the districts you have mentioned. Will you tell me in your own way, from your own experience, did you find any



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incidents of crime in the places where there were Land League branches as connected with those where there were not?—I know the two places in my district where there were Land League branches were very, very much more disturbed than the places where there were not. I have had to visit outrages every day almost in the places where there were branches, and I would not have to visit an outrage for perhaps three weeks at a time where there were not. The coincidence is clear, certainly.

3992. You spoke of Mr. French in connexion with a place called Moneybay. You said there was no Land League branch there?—No.

3993. You said at that time Mr. French was always considered a good landlord?—Yes.

3994. Latterly, has there been any difference of feeling about Mr. French?—Not that I have heard of.

3995. It has continued still?—I believe there are very good feelings between landlord and tenant on that property. The owner of the property is non-resident, but I believe there are very good feelings between them.

3996. You have told Sir Charles Russell more than once that you had had nothing to do with the matter personally before, I think, 1879. I think that was your date?—1880.

3997. You joined the force in 1880, I understand?—I joined the force in 1879, but I went to Galway in 1880.

3998. Had you anything to do with evictions before 1880?—I was only engaged in one case of eviction in 1879.

3999. Had there been some evictions in your district before 1880?—Well, there were isolated cases, but no general eviction campaign, or anything of the sort.

4000. And none of this police assistance, or protection of the sheriff?—Oh, no, none was required.

4001. When first, as far as you know, did the necessity for force and large numbers protecting the sheriff begin?—Well, it began in 1880.

4002. In those districts where the sheriff had been protected, speaking of your knowledge from reports made to you, was there a Land League branch, or not?—There was, as a rule.

4003. Only one other matter, if you please. You mentioned about the ill feeling between the landlord and the tenants, or the tenants and the landlord, as you put it; and also taking evicted land. Had you any cases of complaints of men paying their rent behind the backs of others in your district?—Oh, yes.

(*Sir C. Russell.*) I do not think that arises out of my cross-examination.

(*The Attorney-General.*) Pardon me; you enumerated to him the causes of these crimes.

(*Sir C. Russell.*) I do not object at all. I do not recollect any outrage mentioned.

(*The President.*) Two main causes were suggested by Sir Charles; you wish to add a third.

(*The Attorney-General.*) Yes.

4004. Were there cases where, rightly or wrongly, it was suggested outrages occurred because people had paid their rents?—Certainly, no doubt about it.

4005. When did you first, as far as your experience goes, hear of that as being a cause which led to outrage?—In the beginning of 1881 and the end of 1880.

4006. Of course your personal experience is short. Before that time had you ever heard of that as being a cause of outrage in Ireland?—No.

(*Sir C. Russell.*) My Lord, I should like, with your Lordships' permission, that he should mention any case in that district of outrages, which he says is attributable to that cause?

(*The Attorney-General.*) Certainly.

(*The President.*) Yes.

(*Sir C. Russell.*) I do not find any statement of that in the report which has been read.

4007. (*The Attorney-General.*) I think so?—I think if you look at the outrage perpetrated upon Mr. Walter Joyce's tenants; their house was visited by a moon-lighting party the day after they had paid their rent, and a threatening notice was posted on the door mentioning that they had paid their rents, and on the following day these tenants went back to the landlord and begged him to take back the receipts of their rent.



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4008. Is there any other case than that?—Yes, a man called Ryley's ass was houghed the day after he paid his rent.

4009. Any other than that?—Yes, some of Mr. John Lambert's tenants, Riley, Egan, and a man called Connelly were injured for having paid their rent.

4010. Were those all you can recall?—Those are all I at present remember. I think there are some others.

(*Sir C. Russell.*) I did not follow when Mr. Graham was reading that; that was recited.

(*The Attorney-General.*) It was on the list.

4011. Was the case of Joyce an isolated case of one tenant, or more than one tenant?—There were four tenants.

4012. (*The President to Witness.*) I was going to ask what your occupation was before you joined the force?—I joined after I had just graduated at college.

(*Sir C. Russell.*) I am told, Mr. Ives who was examined yesterday, and partly cross-examined, desires to leave, and I have no objection if your Lordship will allow, that his cross-examination should be finished.

(*The Attorney-General.*) Of course, I take no objection.

(*The President.*) Very well.

Mr. ALBERT CHESTER IVES re-called; further cross-examined by Sir C. RUSSELL.

4013. You told us yesterday you went to Ireland in 1879; that was in November, I think, of 1879?—It was.

4014. Was that with reference to the rumours of an impending famine?—When I went in November 1879, no.

4015. What did you go there about?—Particularly for the trials at Sligo, of Davitt, Daly, and Kelly.

4016. Being there in September 1879, what did you find to be the state of the public mind upon the question of distress, and possibly famine?—I do not think there was much talk about that till December.

4017. December of 1879?—In December it began to be considerably talked about, and I believe it was in December the Duchess of Marlborough started her committee,

4018. You have told us already, you went to America in the "Scythia," and then came back almost immediately, arriving back somewhere about the 19th January. You also told us you devoted yourself for a considerable part of some three years travelling all over the country, and visiting various parts?—Yes.

4019. Did you visit, amongst others, the counties that have been specially referred to, Galway, Clare, Mayo, Cork, and Kerry?—Yes, I was all over the coast counties, south and west.

4020. And did you take the closest observation you could of the state of the various districts through which you went?—Yes, I was investigating the distress.

4021. With a view of publishing an authentic account of what you saw; the results of your observation?—Well, nearly all my travelling for that purpose was done after this fund had been started.

4022. That would be after January 1879?—Yes.

4023. So I understand. Do you mean January 1880?—January 1880. It was during the Spring of 1880.

4024. I meant January 1880. Did you also, in relation to the administration of the relief funds, check your own observations by the reports from local authorities, Catholic clergymen, Protestant clergymen, and other persons of that class?—Well, wherever I went I always visited both the Catholic and Protestant clergymen and the police.

4025. And sought what you thought the most reliable means of testing it?—All official sources I could get.

4026. In addition to the Duchess of Marlborough Fund there was the "New York Herald" Fund?—Yes.

4027. First of all the Duchess of Marlborough Fund, I think, amounted to 80,000l.?—I think that was the figure.

4028. The "New York Herald" Fund to about 70,000l.?—Yes.

4029. The Land League Fund to about 60,000l.?—Yes.

4030. The Canadian Fund, 20,000l.?—Yes.



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[Continued.]

4031. And then there was the Irish bishops?—The Mansion House Fund was the largest fund of all.

4032. I think it altogether amounted to £50,000l., including the American contributions?—Yes, it was something like that I should think.

4033. The entire Relief Fund amounting to about 700,000l.?—The Mansion House Fund was about 130,000l.

4034. That is apart from the American contribution. I think you will find the entire contributions amounted to 750,000l. from all sources?—There were five official funds, the Duchess of Marlborough's, the Mansion House, the "New York Herald," the Land League, and the Canadian Funds.

4035. Those are five. The total was what I have said, about?—Yes, I think it would be about that.

4036. In your judgment, did you or not arrive at any conclusion as to whether deaths were imminent if relief had not immediately taken place; deaths from starvation and want?—Of course, as so much money was poured into the country, it would be rather difficult to say what would have taken place, because it did not take place; but I should have thought there would have been deaths, some.

4037. From actual want?—Yes, particularly in the west, along [the western coast, round the islands.

4038. Did you publish the result of your examination of the matter in a despatch of the 4th February 1880 in the "New York Herald"?—Do you refer to the big table?

4039. Yes, February 1880?—Well, that was not the result of my observations. That table was taken from the letters of official committees and from the personal appeals the priests sent to the Dublin Mansion House Committee. When Mr. Bennett was contemplating starting his fund he asked me to get all the details I could. I went to the Mansion House, and they placed all their correspondence and reports at my disposal; and all the figures and reports are from the extracts from reports of priests and local relief committees.

4040. Although, of course, you could not check the exact number of figures yourself, you had been over the country?—I went over the country after that.

4041. And did your examination, without being able, of course, to check figures or details, satisfy you this was substantially a correct statement of the case?—I think it was at that time.

4042. I see you say here: "The daily, hourly cry of distress"—  
(*The Attorney-General.*) Do not read it unless the gentleman wrote it. He said it was an extract from the table.

4043. (*Sir C. Russell.*) This is the gentleman's own dispatch?—The dispatch is mine, but the table was compiled from the letters of committees.

*Sir C. Russell reads:—*

"The daily, hourly cry of distress in Ireland becomes more and more urgent and widespread. Every day reveals new horrors in the catalogue of suffering.

"The outlook for the coming months is gloomier than any prediction has yet

"painted. No language can describe the appalling privations, the utter destitu-

"tion which prevail, but a vivid picture can be found in the statement and figures

"below. They are unexaggerated and well authenticated.

"300,000 people slowly starving. It is impossible to overdraw the situation,

"so rapidly do matters become worse. What might have been an exaggeration

"yesterday will to-morrow be an under-estimate. 300,000 people are slowly

"starving, and can only be kept alive by superhuman efforts on the part of their

"fellow-creatures. Some of them are living on one meal a day of turnips or of

"meal. Thousands more are consuming their last potatoes. Local efforts are

"becoming feeble. The people are looking to the World for succour."

Then there is a paragraph in which you attribute opposition by Mr. Parnell to the

Duchess of Marlborough's Fund. I will read that if you wish it?

(*The Attorney-General.*) It had better be read.

(*Sir C. Russell.*) Very well, I will read it.

"In the Cause of Humanity.

"The land agitation has hidden its head for the moment; the agitators

"lending a hand in the common cause. Parnell's attack upon the Mansion House



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“ and the Duchess of Marlborough Funds is a crime, the responsibility of which  
 “ no man should take upon himself at this time. The confusion thus caused  
 “ only blinds the eyes of America to the present awful necessities of the Irish  
 “ peasantry. If Parnell be a true Irish patriot he will sink animosities which  
 “ everyone here deprecates, even his friends and sympathisers, and will become  
 “ the champion in America of that cause in which all the world is one, the cause  
 “ of charity.

“ The Statistics of the actual distress.

“ The following figures are compiled from the official returns of the local  
 “ committees to the central bodies organised for the distribution of relief in  
 “ Dublin, as well as from private inquiries made by your correspondent. They  
 “ are vouched for by Protestant and Catholic clergy, gentry, and public officials.  
 “ Further returns are arriving daily in overwhelming numbers.

“ The returns by counties where the chief distress exists shows the numbers  
 “ of those suffering to be as follows :—

“ Returns by Counties.

“ Mayo, 64,509.

“ Galway, 43,260.”

I am merely taking the counties, my Lord, specially mentioned.

“ Kerry, 33,100.

“ Cork, 23,896.

“ Clare, 19,360.”

I think those are all. Then taking Clare.

“ Kildysert, 300 persons destitute, increase unlikely. Landlords have refused  
 “ employment.

“ Miltown Malby, 1,540 persons destitute ; destitution increasing.

“ Kilrush, 400 families ; destitution increasing.

“ Ennistymon, 500 families ; destitution increasing,” and so on.

I need not read them all through.

“ Clonclad Killuran, 500 persons ; increase likely. Ballyvaughan, 1,000

“ persons ; increase likely.”

And then a marginal note.

“ Great want of clothing, distress most urgent ; immediate relief wanted at  
 “ this awful time. One family of 11 persons living on 1s. a day,” and so on.

Then in Cork, “ People are overwhelmed with debt. No language can describe

“ the distress. Starving expected. District large. Poverty widespread. There

“ will be death from starvation in a month. Seed potatoes eaten by the starving.

“ If work be given there will be no increase. People here have nothing to expect  
 “ except charity.”

Then in Galway, “ Oughterard, 80 families destitute ; destitution increasing. In

“ three weeks there will be 300 more families starving. Ballyclerey, 64 families

“ destitute ; destitution will be doubled. Famine is inevitable unless seed potatoes

“ are furnished. Moycullen, 500 persons destitute ; destitution increasing at the

“ rate of 100 persons a month. Some of the mountain villages here are inacces-  
 “ sible in winter on account of the mud. Spiddal, 400 families destitute ; desti-  
 “ tution increasing ; 200 more families on the verge of starvation. Kinvara,

“ 300 families destitute ; destitution increase certain. Many are living on one

“ meal a day. Lenane, 120 persons destitute ; destitution increasing. Boffin and

“ Shark Islands, 1,000 persons destitute ; destitution increasing.”

That is one of the islands off the west coast.

“ Rosscahill, 80 families destitute ; destitution will be doubled in a week.

“ Oranmore, 180 families destitute. Cummer, 100 families destitute ; destitution

“ increasing. Peter's Well, 230 persons destitute ; destitution increasing.

“ Letterfrack, 350 families destitute ; destitution increasing. Whitegate, 100

“ families destitute ; destitution increasing. Athenry, 1,000 persons destitute ;



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“ destitution sure to increase; the number will double if the Government gives  
 “ no work. Cong, 1,000 persons destitute; destitution will more than double.  
 “ Castlegar, 400 families destitute; destitution increase certain; unless the  
 “ Government gives work, July will find the entire parish destitute. Milltown,  
 “ 70 families destitute; destitution increasing; 130 more families considerably  
 “ distressed. Headford, 200 families destitute; destitution increasing; the  
 “ prospect becomes gloomier every day. Drumgriffin, 150 families destitute;  
 “ destitution increasing; the entire population of 500 families in want. Bally-  
 “ glamin, 500 persons destitute; destitution likely to increase. Craughwell,  
 “ 50 families destitute; destitution likely to increase; the people are eating  
 “ their last potatoes.”

That means their seed potatoes, does it not?—No, I do not think it means that in that case.

4044. It says so in the cable?—It was said they were eating the seed potatoes at that time, but in that particular case I think it does not mean that.

4045. “ Gort, 2,000 persons destitute; destitution likely to increase; many are  
 “ actually starving. Killkerran,”

which is another place which has been referred to,

“ 300 persons destitute; destitution increasing; much illness prevails here.

“ Aughrim, 150 families destitute; destitution increasing; many will be dead

“ and buried before help will arrive.”

I do not think there is anything more there.

“ Kerry, Cahirciveen, 1,000 persons destitute; destitution increase im-

“ probable; meal and clothing for the aged and the school children needed.”

I do not know that I need read the whole of that. Here is one place that has been your district.

“ Castleisland, 2,500 persons destitute; destitution increase likely. Broona,  
 “ 1,000 families destitute; destitution likely to increase; landlords give no  
 “ employment. Ballymac Elligott, 60 persons destitute; destitution increasing.  
 “ They are suffering unparalleled privations. Glenbeg, 280 families destitute;  
 “ destitution increasing. This is the poorest district in county Kerry,” and so  
 forth.

“ Valentia, 100 families destitute; destitution increasing; clothing and seed  
 “ most wanted. Ballintubber, 220 families destitute; destitution increasing.  
 “ Unless relief works are started our people must die. Charity cannot do much.  
 “ Clare Morris, 1,000 persons destitute; destitution likely to increase. Killala,  
 “ 150 persons destitute; destitution will be doubled. In some of these families  
 “ there are 8 or 10 helpless children. Belmullet, 750 persons destitute; will  
 “ increase to 2,000. 2,500*l.* necessary to keep the people from starving to death  
 “ between now and July the 15th. Achill Island, Swineford, Bangor Erris,  
 “ 498 persons destitute; increasing. 500 families will be destitute by the 15th of  
 “ March.”

That is a previous one I omitted.

“ Swineford, hundreds of persons destitute; daily increasing. These people  
 “ depend almost entirely on their earnings in England. Neale, 1,500 persons;  
 “ destitution increasing. Not one resident landlord in the parish. Shrile”——

I am taking the names which have occurred in the course of this case.

“ Shrile, 150 families; increase doubtful. Kilcommon Erris, 750 persons;  
 “ increase likely. Newport, a wretched district. Ballycastle, 400 persons;  
 “ destitution increasing. The landlords are giving nothing. Foxford, 700  
 “ families destitute; will not increase. Carrowkeet, 2,000 persons; increasing.  
 “ Aughamore, 600 families; increasing. Nearly all small landowners.”

There are accounts, my Lord, of the other counties which I need not trouble your Lordship with. Now, I think you yourself, when it was clear there was going to be this great acute distress, thought it right to go and see the Irish Secretary yourself, did you not?—Mr. Lowther, yes.

4046. You did not recognise him, perhaps, as Irish Secretary, but he was. Did you urge upon him the state of things which existed?—No. I asked him his opinion of the state of distress and what the Government was going to do, and various other questions of that kind.



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[Continued.]

4047. Did you ascertain whether they were going to do anything?—I went there with the idea of getting matter for publication, but he did not desire anything to be published; what I gave in my dispatches was not official.

4048. Did you ascertain whether at that time the Government had realised the state of things which existed; whether they contemplated doing anything?

(*The Attorney-General.*) Well, my Lord, this is rather far from any question before the Commissioners.

(*Sir C. Russell.*) I think not. Surely it bears directly on the question.

(*The President.*) The witness has stated, he went there for the purpose of getting information. I understand him to mean Mr. Lowther did not wish to give information for publication.

4049. (*Sir C. Russell.*) But as a matter of fact, was anything done? As far as you know, was anything done except what was done by charity?—Nothing extraordinary, nothing out of the ordinary line of relief.

4050. That is to say the poor relief?—The poor relief.

4051. I notice you say there in the beginning of that dispatch that the land agitation—you use a figurative expression, I think,—the substance of it is that the land agitation, as an agitation, was subsiding, and the people who were interested in it were devoting themselves to relief.

(*The Attorney-General.*) No, I think not. “The land agitation has hidden its head for the moment,” is what the gentleman said. It is not “subsiding.”

(*Sir C. Russell.*) I used the word subsiding. I will read the very words:—“In the cause of humanity the land agitation has hidden its head for the moment, the agitators lending a hand in the common cause.”

4052. Is that so, according to your observation?—Well, of course the Land League was a very small affair then, but they certainly were devoting their attention to getting money for the poor at that time.

4053. Now, you have had, I think, more than one conversation and interview with Mr. Parnell and with Mr. Davitt and Mr. Dillon?—Yes, I have had several interviews with Mr. Parnell.

4054. I think, as my friend has read the account of the interviews with him, I am entitled to ask you this: Is there in anything that Mr. Parnell has ever said or suggested to you any ground for the statement or the charge that he was relying upon crime to help his public movement?

(*The Attorney-General.*) With very great deference, that is not a question to be put in that shape to this witness. If Sir Charles thinks he can prove any definite conversation, let him ask the witness to give an account of it. I submit he has no right to put that compendious question and ask it to be negatived.

(*The President.*) We have had read this witness's report of what passed between him and Mr. Parnell.

(*Sir C. Russell.*) On one occasion.

(*The President.*) On many occasions.

(*Sir C. Russell.*) No, my Lord.

(*The President.*) On many.

(*Sir C. Russell.*) On one occasion, that occasion being many days or several days on the voyage.

(*The President.*) Yes, it was the result of many conversations during the voyage.

4055. (*Sir C. Russell.*) But he had others. I am not objecting to that conversation. I think it valuable, but I want to know further. Then I will take it in the way my friend asked. I should have thought he would be glad I should put it the other way. This interview you published was the substance of the conversations you had with Mr. Parnell on board the “Scythia”?—It was.

4056. And you had other conversations you have told us also?—Yes, in Ireland before this.

4057. And afterwards also?—No, not afterwards.

4058. Did you learn from Mr. Parnell upon what he was relying for the furtherance of his political and agrarian views?

(*The Attorney-General.*) What did Mr. Parnell say, if you please?

(*The President.*) I have been trying to think of what Sir Charles Russell is aiming at. I suggest it is this: Is his report of the conversations what he deems to be a full and complete statement of Mr. Parnell's views and intentions?



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[Continued.]

(*Sir C. Russell.*) My Lord, I want a little more than that, because there were other conversations. I will take that also. I am quite willing to accept it as such according to the best of this gentleman's honest recollection, and especially after you have told us that Mr. Parnell saw this and discussed it with you. I am accepting it as being a perfectly *bonâ fide* account. I accept it as being so. What I was rather asking is about other conversations. This is not the whole of it.

(*The Attorney-General.*) He said he had no conversations afterwards.

(*Sir C. Russell.*) Conversations before, yes. What I did really want to get from you was this, if my Lord will be good enough to help me, I shall be glad to put it in any form of words. Except reliance upon constitutional methods has Mr. Parnell ever suggested any recourse to any other methods?

(*The Attorney-General.*) Really, with very very great deference —

(*The President.*) Yes, I think that is proper. What we want to get at is this, and I think Sir Charles is entitled to that. Was there anything that passed between Mr. Parnell and this gentleman inconsistent with the views which he has represented as being those of Mr. Parnell?

4059. (*Sir C. Russell.*) Then I take it so?—No.

4060. Then he relied, as far you could judge from his statement, upon constitutional methods, is that so?

(*The President.*) For that we must refer back to what is in the report.

(*Sir C. Russell.*) I should have thought, with great deference, and I press it respectfully, that I am entitled to get it in the negative form, whether at any time, or in any form of words, Mr. Parnell in any way suggested reliance upon outrage in furtherance of his political views.

(*The Attorney-General.*) With very great deference, there is the memorandum. If, Sir Charles, you wish anything definite, you may ask the conversation.

(*Sir C. Russell.*) I cannot tell the details of the conversation. I submit I am entitled to have that negatived. I am cross-examining my friend's witness.

4061. (*The President.*) But that invites observations upon some of the passages which are contained in the conversations. Have you given what you conceive a full and impartial statement of Mr. Parnell's conversations with you?—I have.

4062. On both sides?—On both sides.

(*Sir C. Russell.*) I am referring to conversations not included in the account.

4063. (*The President.*) My question was intended to apply to all the conversations as to which he can give evidence. I did not mean to limit you to those which you have written down. In other conversations, were there any statements made by Mr. Parnell giving a different character to the expression of his intentions to what you have recorded?—No, nothing.

4064. (*Sir C. Russell.*) My Lord, I will put this question, subject to your Lordship's permission. Did Mr. Parnell at any time, or in any form of words, suggest reliance upon or recourse to outrage as furthering his political objects?

4065. (*The President.*) Yes, certainly, you can ask that?—Never.

(*Sir C. Russell.*) How has he expressed himself in relation to the question of outrage?

4066. (*The Attorney-General.*) "Has he ever said anything," Sir Charles?—All that I remember his ever saying, is in that interview.

4067. (*Sir C. Russell.*) Very well?—I never thought of asking him such a question, of course. I never did ask him, of course.

4068. Now, have you had conversations with Mr. Davitt upon this same question in relation to outrage—as to methods?—I had an interview with Mr. Davitt once. I do not remember it. I have not read it for some years.

4069. (*The Attorney-General.*) When?—In Sligo, when he was on his trial. He wrote it out for me in Court.

4070. (*Sir C. Russell.*) Do you remember the date of that?—It was November 1879, during the trial.

(*Sir C. Russell.*) The 28th of November, my Lord, is the date of it. The other was the 4th of February. I suppose this is the part which is headed "Davitt's Conviction."

(*Mr. Justice A. L. Smith.*) What was Mr. Davitt tried for then, Sir Charles?

(*Sir C. Russell.*) For making a speech at a place called Girteen.

(*The Attorney-General.*) I think not. Inciting to crime at Girteen.



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[Continued.]

(*Sir C. Russell.*) I will take my friend's description. He says it was inciting to crime at Girteen; but the inciting to crime was a speech at Girteen. We shall have the speech before us in time, no doubt.

(*Mr. Justice A. L. Smith.*) Very well, that will do.

(*Sir C. Russell.*) This is what you say: "I began my interview by asking him many questions regarding New York. He expressed his expectation of returning there ere long. With respect to the case against him, he thought it would fall to the ground, and that no jury would possibly convict on the evidence. He thoroughly believed in agitation as a means for relieving the necessities of the people, and he intended to continue in spite of the Government and its persecution. He knows, from his contact with the classes dependent upon cultivation of the land, that most of them live on wretched food, dwell in miserable and unhealthy hovels, while by their labour and moral conduct they are deserving of a better and more civilised existence. The landlords earn nothing by labour. They are not in any way superior to ordinary people on the score of morality. They enjoy the pleasure of life, food in plenty, freedom from the misery and hardship which are incidental to the lives of those upon whose labour they subsist. Such disparity necessarily creates a discontent against the laws which are responsible for this glaring inequality. From this system crime and violence have sprung in the past, and will again in the future."

" 'What,' I asked, 'is your opinion with regard to your arrest'?"

" 'Great advantages,' he replied, 'will accrue from the agitation. It was a huge blunder on the part of the landlords and Dublin Castle.'

" 'Do I understand you to say,' I continued, 'that the landlords are implicated in these proceedings?'"

" 'Certainly,' said Mr. Davitt. 'They have flooded the Castle for the past three months with letters demanding my arrest. They never had to encounter such a spirit of independence and resistance as the peasantry have exhibited since the agitation began. Ordinarily, the poor Irish farmer, who is politically and socially at the mercy of his territorial master, is afraid to dress himself and his children comfortably, or even to enjoy substantial food, lest the rackrent be invited by his mode of life. This is now completely changed. The notion that rents are too high, and life in Ireland often too miserable to endure, has long been fully realised; but that a landlord has no right in real equity to the land for which he extracts an iniquitous tax in the shape of rent, had never or seldom occurred to the tenant farmer before.'

#### " Rent or No Rent ?

" 'Do you mean that rent should be no longer paid?'"

" 'No, I do not. What I mean to say is, that the Government of the country, which of course, is not the rightful Government of the country, is bound to the interests of the landlords, and therefore a general or partial refusal to pay rent would give power to the Government over those who refused these dues. But an organised attitude on the part of the rentpayers against the exorbitant and arbitrary proceedings on the part of the landlords has in a few months compelled concessions and abatements which have been of the greatest benefit to the farmers. The price of land has also fallen, whilst the land-jobbers, who are the farmers' worst enemies, have ceased to bid for land over the farmers' heads for want of competition.'

" 'Do you think that the Government will stop at the arrests already made?'"

" 'I am not sure that the Government has shown all its hand. They appear to have done a very stupid thing, but have possibly more trumps to play.'

" Referring to the action taken by the priests with respect to the present agitation, Davitt said:—

" 'I wish we could keep religion out of Irish politics. Then we should have a united Ireland.'"

I think that is all, is it not Mr. Ives, that relates to that?

4071. Mr. Davitt, I believe, did not place so much faith on Parliamentary action as Mr. Parnell?—I believe not.



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[Continued.]

4072. There is one other matter I have to ask you about, and that is this: Did you come across in your wanderings, a man who has been made famous by this prosecution called "Scrab Nally"?—Yes, I did.

4073. Now, just describe "Scrab Nally" to my Lord?—Well, he was a drunkard, that is all.

4074. Is he a man who has any weight or influence with any class?

(*The Attorney-General.*) Do you know?

4075. (*Sir C. Russell.*) So far as you can judge, or is he treated as a drunken clown?—I have seen him at a good many meetings. He was always very full.

4076. You mean full of whiskey?—Yes.

4077. I mean, was he treated as a serious speaker, or was he treated as —

(*The Attorney-General.*) No, what passed?

(*Sir C. Russell.*) What passed? What particulars?

(*The Attorney-General.*) You can say what particulars.

(*The President.*) Was he allowed to speak?

4078. (*Sir C. Russell.*) At what part of the meetings did he speak? Did he speak when the meetings were broken up on some occasions?—I know he has on one or two occasions; always at the end, or after the meeting.

4079. Have you ever found him speaking his speech to a shorthand reporter, a Government reporter, when the meeting was over?—That I could not say.

4080. I really think I am entitled to ask you, in your judgment, was he treated as a serious person, or was he treated as a drunken clown?—I do not think he was treated seriously.

#### Cross-examined by Mr. R. T. REID.

4081. Mr. Dillon went with Mr. Parnell to America?—He did.

4082. Did you have any conversations with Mr. Dillon as well as Mr. Parnell?—I did.

4083. During the voyage?—During the voyage.

4084. Is the substance of them contained in that report?—No, it was published the day after the interview with Mr. Parnell.

4085. You had a conversation with him, perhaps, did you?—No, I do not think I ever did.

4086. Never had a conversation, except during the voyage?—Never for the purpose of publication.

4087. I will ask you this question: I do not wish to ask all the conversations, but has the question of crime and outrage ever come up in conversation between you and Mr. Dillon?—I do not think it ever has.

4088. Never come up at all between you?—I do not think so. The interview I had with him, which he saw, was published in the papers.

4089. Tell me where that is reported?—The 3rd January, the next day after the interview with Mr. Parnell.

4090. The 3rd January 1880?—The 3rd January 1880.

It is headed "Parnell's Lieutenant." I will read it, if you please.

(*The President.*) Of course I do not wish to interfere with your doing so, but let us see to what extent it will go.

4091. Was Mr. Dillon present at the conversation with Mr. Parnell during the voyage?—Not always.

4092. Generally?—No, not generally.

(*The President.*) I thought, perhaps, that one would cover the same ground.

(*Mr. Reid.*) The first paragraph is descriptive of Mr. Dillon. I do not care to read that. And the second paragraph is the same, merely a description of his person, and so forth. Then the third paragraph is:—

#### "Ireland's Humiliation."

"Mr. Dillon passed most of his time during the voyage quietly and unobserved reading in the cabin, and was there found by your correspondent. With modesty he protested that Mr. Parnell only was authorised to speak regarding the aims of their mission. He did not adopt the more extreme views



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“ regarding the solution of the land question, though he regarded landlordism as monstrous and hateful. Speaking of his visit to America, he said:—‘ We feel it a bitter humiliation to parade before America the poverty of our nation, and I wish it to be clearly understood that, if Ireland had control of her own resources, she would neither ask nor require any assistance in this difficulty. The charity at present being collected in England, will, I consider, be worse than useless. It will be miserably inadequate to meet the emergency, will be badly administered, and is already serving as a pretext for covering Ireland with every kind of insult as a nation of paupers.’

“ *Correspondent.*—What should the Government have done, Mr. Dillon?

“ *Mr. Dillon.*—By putting it in the power of the Irish six months ago to provide, out of their own resources, against the distress, which was then clearly foreseen, England would have done more to avert the calamity than if she were now to subscribe a million of money for distributing as alms among the people.

“ *Correspondent.*—The agitation at least deserves the credit of making known the distress which exists in Ireland, does it not?

“ *Mr. Dillon.*—It certainly warned the Government in ample time, but the public was long accepting the truth of the prediction. The subject of distress was scoffed at until a month or two ago, but now it is thoroughly recognised. The impending distress was brought before Parliament on two notable occasions last April, once by Mr. Parnell, but it was regarded as an obstructionist trick. But we knew that such distress was certain to ensue, and we started the agitation in order to enforce the knowledge of it upon the Government, and to attack the source of it, the land system. The Government refused attention to the state of the people until the landlords acknowledged the distress, and special correspondents of some of the newspapers sent to Ireland made the general public aware of the real condition of affairs.

“ *Money, not Food, wanted.*

“ *Correspondent.*—I understand that you and Mr. Parnell are willing to take charge of any American funds for the distressed in Ireland that may be offered.

“ *Mr. Dillon.*—For my part I do not intend to ask for alms for Ireland. At the same time I think it right to say that we are in a position, by means of the organisation of our Land League, to distribute money more effectually in the distressed districts than any other body in Ireland that I know of; and if Americans in their generosity should wish to intrust funds to us for that purpose, I need hardly say no exertion would be spared on our part to secure the greatest possible results.

“ *Correspondent.*—What form do you think assistance to Ireland should take, Mr. Dillon?

“ *Mr. Dillon.*—Money, by all means. The approaching partial famine in Ireland will not be a famine of food, but of money. I saw in the ‘Herald’ a few weeks ago a letter from some generous Irishman, proposing to send a shipload of food to Ireland every week. Such a suggestion arises from a complete misapprehension of the state of the country. There is plenty of food, but the people have no money to buy it with. It was the same in this respect during the famine of ’47, 17,000*l.*” I think that must be a mistake, I think it was more —

(*Sir C. Russell.*) Yes, I think so, was not it millions?

(*Mr. R. T. Reid.*) Yes, it must be wrong.

(*The Attorney-General.*) I do not think so.

(*Mr. R. T. Reid.*) I will read what is here (*continuing reading*) “17,000*l.* worth of food left Ireland during the famine year, and in spite of the distress this year 20,000*l.* worth will probably be exported. What the people want is money to buy food with. I have no hesitation in saying that 100*l.* judiciously distributed would do more good than 300*l.* worth of food poured into the country. We can easily arrange with local traders to distribute meal at cost price, and as



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“ there are the usual depôts of supply for the people in the distressed districts,  
 “ they are best situated to deal with them.

“ *Landlord and Tenant.*

“ *Correspondent.*—Do you think, with your colleagues, that landlordism in  
 “ Ireland should be abolished?

“ *Mr. Dillon.*—I think it would be a pity to see the landlords exterminated.  
 “ They are an educated and a refined class, and are in many ways a benefit to the  
 “ community. But it has always been the misfortune of the privileged class to  
 “ be impervious to reason, to refuse to yield to compromise. It was so in the  
 “ Southern States of America. The slaves were bound to go, and if the slave  
 “ owners had only recognised this they might have been amply compensated for  
 “ the loss and avoided ruin.

“ *Correspondent.*—Are there not very few of the larger and more influential  
 “ farmers connected with your movement?

“ *Mr. Dillon.*—We do not want the large farmers. Their interests are not  
 “ the interests of the small tenants, and there is no sympathy between the two  
 “ classes. But if they did favour our movement they would be afraid to join us.  
 “ A landlord could evict a big farmer without much trouble, and they would so  
 “ evict without hesitation in order to make an example. But the landlord cannot  
 “ evict a determined body of small farmers without much difficulty. In the case  
 “ of Dempsey, recently evicted at Balla, and with his seven children thrown out  
 “ by the roadside, what a storm has been raised by it. The moral effect of such  
 “ an affair is very great.

“ *Correspondent.*—What would be the effect of a general resistance to the  
 “ payment of rent?

“ *Mr. Dillon.*—The tenants must win in most cases, except at enormous cost.  
 “ For instance, there are in Lord Dillon's estate 3,600 tenants who do not pay  
 “ over 4*l.* a year rent. If these tenants should combine and strike, what could  
 “ the landlord do? It would take him two years to evict them all, and it would  
 “ cost him an enormous sum, while he would be losing his rental, 27,000*l.* a year,  
 “ during that time. These 3,600 tenants represent, probably, 10,000 persons, and  
 “ it would be impossible to accommodate them in the poor house, while if they  
 “ were assisted to emigrate, a very great sum would be involved. In fact, it  
 “ would be impossible to evict under such circumstances. But I have never  
 “ advised such a system.

“ *Correspondent.*—If the truth were known, do you not think the landlords are  
 “ at present as distressed as the tenants?

“ *Mr. Dillon.*—They are at least in a bad state. For instance, there is one  
 “ property owner in Sligo, and he is only one of a very large number in the same  
 “ difficulty, whose rental is about 40,000*l.* a year, who, in consequence of in-  
 “ cumbrances, charges, &c., only gets from the estate about 10,000*l.* a year. The  
 “ encumbrances have to be paid under any circumstances, so that if he is asked  
 “ and consents to reduce his rents 25 per cent., he absolutely has nothing left, his  
 “ income is wiped out.

“ *Debts of the Poor People.*

“ *Correspondent.*—Do you not think much blame is to be attached to the banks  
 “ who have recklessly lent money to the poor people in times of prosperity, and  
 “ have now withdrawn their help?

“ *Mr. Dillon.*—The influence and force of the banks in the poorer districts  
 “ have doubtless been very bad, worse than the money lenders who prevailed  
 “ before the banks came, because at that time the farmers were ashamed when  
 “ they went to the money lenders, and to do so was considered a degradation;  
 “ and when the banks were introduced, this was changed. To borrow from a  
 “ bank was entirely respectable, and a course of reckless borrowing then began.  
 “ The trouble was that the people did not understand the proper use of a bank.  
 “ They looked upon it as a sort of El Dorado, from which they might extract



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“ money for ever. The crisis has come, and the people cannot pay, while the banks naturally refuse to lend any more money.

“ *Correspondent.*—I have been told by bank managers in the distressed districts, Mr. Dillon, that deposits in the bank are increasing rather than decreasing, and that this is a fair indication that the distress is exaggerated.

“ *Mr. Dillon.*—That is a complete fallacy, and one which, curiously, was brought forward in 1847 to prove the same thing, and entirely refuted at that time. The increasing deposits simply proved that those who have a little money which they usually invest in stock or use in various ways on their farms, are depositing it in the banks for safe keeping and for an emergency. This class of deposit does not bear at all on the vital question whether the poor people have money. It is perfectly well known they have not.

“ *Lessons taught the Tenants.*

“ *Correspondent.*—Who do you think is the percentage of landlords who charge exorbitant rents?

“ *Mr. Dillon.*—It is not possible to tell exactly, but even if nine-tenths of the landlords are not rack-renters, that is no defence to the land system. A majority of the Southern slave owners were fair, humane men, but it is not right that any man should hold such a power over another as the slave owners did over the negroes, or as the landlord of Ireland does over the tenant. But too much credit should not be given to landlords for fair treatment of their tenants. Many of them are good so long as their absolution is recognised, and the tenant is properly slavish, but when they are crossed they treat their tenants very badly.

“ *Correspondent.*—There has been a great change in the demeanour of the tenant toward his landlord since the agitation began, has there not?

“ *Mr. Dillon.*—You would hardly believe the change that has come over the tenant within a few months. The utter slavishness of tenants towards landlords, agents, and even the very bailiffs, was formerly humiliating to see. It was worse in times of prosperity than at others, because the tenants knew the landlords could then easily let their holdings without trouble, and did not care whether the tenant went or stayed. But now they understand their true relation to the land, and they feel that the landlord wants to keep them. A baliff recently came into an hotel in the west of Ireland and ordered some liquor, remarking to a friend, ‘When I used to come to this town there were half a dozen fighting to see who should pay for my whiskey, but now I walk through the town and not a soul pays any attention to me,’ and so it is throughout that part of the country.”

Re-examined by the ATTORNEY-GENERAL.

4093. Just one word about this. You told me the other day you arrived at America on the 1st January?—Yes.

4094. How long were you in America?—Twelve days, I think.

4095. You were then telegraphed back?—Yes.

4096. A cablegram was sent you; and when did you arrive in England from Ireland?—About ten days before that was published.

4097. Now then, as you told Sir Charles Russell, this statement was taken from statement entirely from the local districts?—Yes; the figures and the remarks.

4098. What I want to ask you is, In what districts did you yourself personally verify any of the statements? You spoke about the Islands. I will ask you about that directly. In what districts in your travels did you personally verify any of the statements?—I did not go anywhere to verify any of the statements.

4099. Where did you yourself see any general distress, if anywhere?—All over the western counties.

4100. Any part particularly bad. You mentioned the Islands. Was there great distress in the Islands or the West?—There was great distress visited nearly all the Island. I was three weeks in Aghan Coit.



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[Continued.]

4101. So far as you saw was the distress worse in the Islands than any other place you went you?—I think it was worse in the Island, although along the line of coast, away from the railway communication, like Clifton and all through Conemara, it was almost equally bad.

4102. You have been asked about this interview. I only want to ask one question with reference to that before I look at the documents. I understood you to say, please correct me, that the memorandum you published was corrected before publication by Mr. Parnell?—Yes.

4103. I understood you to say that Mr. Dillon was present at the time some of the corrections were discussed?—He was present all the time.

4104. I notice in this statement which Mr. Reid has just read that Mr. Dillon stated Mr. Parnell was the person who was to speak on behalf of the programme of their visit to America?—I believe he did say so.

4105. I do not see anything else in the article. I think Mr. Reid has called attention to what is necessary in that article. Now only one question about the Sligo interview with Mr. Davitt. I had not heard of that before. November 1879 you were at Sligo?—Yes.

4106. Mr. Davitt was on his trial?—Yes.

4107. I gathered that these statements which were made, were the result of an interview which you had with Mr. Davitt, and you intended to put down as fairly as you could what passed between Mr. Davitt and you?—It was absolutely written by Mr. Davitt. I gave him a series of questions in Court, which he wrote down answers to.

4108. That is to say, the questions were put down on paper and Mr. Davitt wrote the answers, which he handed back to you?—Yes.

4109. Now you have been asked about Scrab Nally; how many meetings did you hear Nally speak at?—I do not think I ever heard him speak more than two or three times, but I saw him at a great many meetings at which he did not speak.

4110. You saw him at a great many meetings, and he spoke two or three times?—Yes.

4111. When these speeches were made, did you ever notice whether any persons were on the platform at the time?—Yes.

4112. Were his speeches cheered?—Yes, certainly.

4113. What I want to know is—kindly answer the question for me if you can—did you ever hear anyone on the platform repudiate or rebuke Mr. Nally for the speeches he made?—No.

4114. I do not know whether you ever heard any of his words repeated by any person on the platform yourself?—I do not understand.

4115. Do you remember any occasion on which anybody spoke after Mr. Nally, and repeated any of his words. You may not have been there?—No, I do not remember.

Sergeant WILLIAM CHARLTON, sworn, examined by Mr. ATKINSON.

4116. Are you a sergeant in the Royal Irish Constabulary?—Yes.

4117. Where were you stationed in the year 1882?—In Ardahan, County Galway.

4118. How long had you been stationed there before June 1882?—About four months.

4119. Have you continued there since?—Yes.

4120. Did you know Mr. Walter Burke?—Yes.

4121. Did you know Corporal Wallace, who was in attendance upon him?—Not until I saw him dead—not until after he was shot.

4122. Do you remember the day that he was shot?—Yes.

4123. Had any report been brought to the barracks where you were with reference to the murder?—Yes, I received a message from Mr. Taylor, of Castle Suiny, that he wanted me very quick down to his place.

4124. What time in the day was that?—About 3 o'clock.

4125. Did you go then down the road to Mr. Taylor's place?—I took across the fields as fast as I could, myself and another man.

4126. Did you meet Mr. Taylor?—Yes.



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[Continued.]

4127. Did he bring you to where Mr. Burke's body was?—No, he told me two men had been shot on the road, and were on the road at the gate leading into his fields.

4128. Did you go to where he directed you?—As fast as I could.

4129. Did you get out of the road?—No, I crossed the fields.

4130. Did you find Mr. Burke's body?—Yes, when I got to the road where he told me, I found Mr. Burke's body.

4131. Did you find the body of Corporal Wallace also?—Yes.

4132. Did you see what happened to them?—Yes.

4133. What had happened to them?—They were both shot.

4134. Is the road bounded by walls on each side there?—Yes.

4135. Did you examine those walls?—I did.

(*The President.*) What further facts have you connected with this murder.

4136. (*Mr. Atkinson.*) There are some, anyhow. While the bodies were there, did any people assemble round?—Yes.

4137. Did you see how the people conducted themselves?—Yes, I did.

4138. What did the people do?—They walked backwards and forwards through the blood of the dead men.

4139. Was there a large crowd?—No, there was not; there was about 30, I suppose.

4140. Did you know any of these people?—Yes, I knew most of them.

4141. Were there any of these members of the local Land League?

4142. (*Sir C. Russell.*) Do you know?—Yes. I did know some of them to be members.

4143. (*Mr. Atkinson.*) Did they give you any assistance, any of the crowd, in any way?—None whatever.

4144. To remove the bodies?—No, I had to take up the body of Corporal Wallace with my own hands, and leave him on the grass beside Mr. Burke.

4145. Those loopholes that are there, did you fill them up?—Frequently.

4146. Have they been opened from time to time by some persons?—Frequently been; always.

(*Sir C. Russell.*) I do not ask you anything.

Cross-examined by Mr. REID.

4147. I would like to ask you a question. You say some of these men walked through the blood?—Yes.

4148. Do I understand you to mean they were walking along in that place, or how was it?—They were walking all round about where the two bodies lay, and walking in the blood of the dead men.

4149. The point I am wanting is this: I want to know as to whether it was ostensibly walking in the blood—deliberately, on purpose—walking in the blood, or whether they were walking all round the bodies, and so walked through the blood?—I believe through disrespect to the dead men.

4150. That is your belief?—That is my belief; and I cautioned them, and told them they had no decency in them or they would not do it.

4151. What are the names of the men?—One man of the name of Martin Cane; he was the ringleader in it.

4152. Who else did this?—There were several people I did not take much notice of at the time, because there was great excitement.

4153. You said people did it, and they did it out of disrespect to his memory; I want to know if you can tell me the names of any beyond Martin Cane?—I cannot remember now, and I cannot readily remember.

4154. Were there any grown up persons?—Yes, there were.

4155. Were there many persons there?—There were, I dare say, 30, as far as I can think.

4156. You cannot give me any other names?—I cannot remember them at present.



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CONSTABLE PRESTON.

Constable PRESTON sworn, examined by Mr. MURPHY.

4157. Are you a constable in the Irish Constabulary?—Yes.

4158. In 1880, in the month of May, were you in charge of the Mahone district?—I was.

4159. How long have you been there?—I was there from the 24th January 1879.

4160. When you went there in 1879, what was the state of the country?—It was very quiet.

4161. And as you got on towards the end of 1880, how did you find things?—Things were hot; the country was disturbed.

4162. Had there been Land League branches established in the meantime, or not?—Yes, there was.

4163. I will not go over the outrages that were committed. We have heard that from other witnesses. Among other gentlemen living in the neighbourhood, was there a Mr. Robinson?—He lived back at Roundstone, a long distance from it.

4164. Had he a man in his employment of the name of Kyne?—A man named Armstrong.

4165. He had Armstrong in his employment?—Yes.

4166. What was Kyne to do with him?—Kyne had a son of his working with Armstrong.

4167. On the 29th December, did Kyne bring you a threatening letter?—He brought me a threatening letter.

4168. Have you got it?—

“Mr. John Kyne, Sir, you are hereby required to take your son John, which you have working for Armstrong, from him, and I will feel very thankful to you; if you do not take my advice, I will tan your old head with slugs. This is written by orders of the very” (*there is something left out*) the very ‘man’ (I think it is) that killed Lord Mountmorres, I remain, yours truly, Rory of the Hills.”

4169. Now, in January 1880, is it within your knowledge that some processes for rent were served on the estate of —?—Yes, on the 12th January 1880 there were processes served on the estate of Colonel Clements.

4170. Was it January 1880 or 1881?—January 1880.

4171. You are going back. Was it before that letter was written?—It was before that letter was written.

(Sir C. Russell.) What date did you fix it.

(Mr. Murphy.) January 1880.

(The Witness.) January 12th.

4172. After these processes had been served, did you see crowds of people on the road?—Before the processes were served—for three days before—a large body of men were assembled, and marched up and down the road, and carried sticks opposite the house of Mellor, who kept the hotel. They called for cheers for Mrs. Mellor.

4173. Was Mellor connected with the Land League to your knowledge?—Mrs. Mellor was looked upon as being a very strong supporter of it.

4174. Had she in her employment amongst other persons a man named Thomas Joyce?—Yes.

4175. Did you arrest Joyce on some charge?—I arrested him for setting fire to an ass belonging to John Koyne.

4176. You saw the ass?—Yes.

4177. It was burnt to death?—When I saw it, it was one mass, and a lot of corrupted matter.

4178. Was the man you prosecuted tried for the offence?—Yes.

4179. Was he convicted or not?—He was convicted.

4180. Did Mr. Connolly defend him?—Yes.

4181. Was the Rev. Mr. Conway there?—Yes, he appeared in court himself, and another man. Mr. Connolly defended Joyce, and Father Conway, from Clandeboye, appeared there, and appeared as if he was instructing Mr. Connolly.

4183. Was there a Mr. Lawrie there also?—Yes, a man called Lawrie, from Balbulla was there.

4184. What part did he take in the defence?—He appeared to be instructing Mr. Connolly also.



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CONSTABLE PRESTON.

[Continued.]

Cross-examined by Mr. LOCKWOOD.

4185. Mr. Connolly is a solicitor, is he not?—Yes.

4186. Does he practise in that neighbourhood?—He did previously.

4187. I daresay he has defended a great many people there?—Well, I could not say that he defended many. I saw him employed in the same court.

4188. His practice might be exceedingly small, at any rate that was his profession?—Yes.

4189. And he was employed in that court on other occasions?—Yes.

4190. He was practising on that occasion before the magistrates?—Yes, there was only one magistrate.

4191. Were you in Mr. Bell's district after he joined the force in 1880, I think?—I never served under Mr. Bell.

4192. I may have been wrong in my recollection as to some of these cases. I thought this was the same case.

(The President.) No, I have been noticing that. The case that Mr. Bell gave, was a donkey having its leg cut. This is a case of burning a donkey.

(Mr. Lockwood.) That detail escaped me, but I thought it was one of the cases spoken of by Mr. Bell.

4193. (Sir C. Russell.) This is what is called Joyce's country?—Yes, Joyce's country.

4194. (Mr. Lockwood.) Further north?—Yes.

4195. You went there in 1879 into Joyce's country?—Yes, in January 1879.

4196. What was the condition of the people at the time you went there?—They were very quiet.

4197. Yes; but what was their condition as to how they were. Were they well off or badly off?—Well, they were well-to-do.

4198. Did things get better or worse for them as time went on—coming on now to the beginning of 1880?—They were much in the same state.

4199. Just in the same state?—They were comfortable. I would say, in fact, there were works got up—relief works.

4200. Your view is they were a little better?—There were relief works got up.

4201. Were they better?—I would not say they were better.

4202. Were they better in 1880?—Well, I would say the relief works ———

4203. If they were a thriving, well-to-do people, why should they require relief?—I do not say they were thriving and well-to-do.

4204. I understood you to use the words in answer to my words that they were well-to-do?—They were fairly well-to-do.

4205. If they were fairly well-to-do, why should they require to have relief?—I knew people that were getting relief and who did not ———

(Mr. Lockwood.) I see.

(The Attorney-General.) Let him finish his answer to your question.

(Mr. Lockwood.) He has answered.

(The President.) He had not finished his answer when you exclaimed "I see."

(Mr. Lockwood.) Repeat your answer and finish it. You said something about people getting relief.

(The President.) Relief works was his expression.

4206. (Mr. Lockwood.) "Who did not"—go on?—I said there were people getting relief that did not require it, but that is apart from the relief works. There were a number of people working on roads that were starting about the place.

4207. Is that all you have got to say in answer to that question? Have you finished?—Yes.

4208. Now, let me understand then: this is the picture you draw of the neighbourhood where you were. You suggest a well-to-do people in 1879 when you went there, is that so?—Well, they are very well-to-do, a number of strong farmers.

4209. I am not asking you what they are now; I am asking you what they were then. Do you suggest with regard to that district that you went to in 1879, as it was then, that the people there were a thriving well-to-do people?—There was a great many of them thriving and well-to-do.

4210. When you are speaking generally of them, would you say they were a thriving well-to-do people?—Well, in general, I would.



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CONSTABLE PRESTON.

[Continued.]

4211. Would you say that their condition improved as time went on—that is going up to the beginning of February 1880?—I should say that the relief works, and the relief that was given did ----

4212. Improve their condition; they were well-to-do to start with, and relief improved their condition. Is that what you mean?—I would say so.

4213. And you would say further, would you not, that they did not require the relief that they obtained?—Numbers of them did not require it.

4214. Speaking generally of the district?—Generally. I heard of them giving their relief to their cattle.

4215. Let us now distinctly understand the district you speak of?

4216. (*The President.*) I understand him to say he knew cases in which they gave the relief to their cattle. I suppose by that he means the meal—the Indian meal?—The meal—the thing that was given out.

4217. (*Mr Lockwood.*) Now, please, I want to know how long and how large a district you speak of. I want to know the place. In speaking of the district where you were, how large is that district?—Well, a sub-district where I was, a portion of it extended back, I should say 10 miles from there into the mountains—from the station where I was.

4218. It extended 10 miles in one direction?—Yes.

4219. Supposing you take the length and breadth of the district?—About 15 miles.

4220. Fifteen miles one way?—Yes.

4221. And 10 the other?—I say that would be about the district.

4222. Can you give me any idea as to the number of the population in this district?—Well, I could not very well. It was, a portion of it, very thinly populated.

4223. Can you give me any idea of what was the population of the district?—I would say there was between 2,000 and 3,000.

4224. What?—There was about 3,000 people, I should say—almost.

4225. Of these 3,000 people, how many were obtaining relief in one form or another?—Well, really I could not say very well. I know that as many as got it took it.

4226. Can you suggest any way in which a man could get it without taking it?—Well, as many as could get it.

4227. Were there local agents there, especially for the purpose of distributing the relief?—Yes.

4228. Who were the local agents that were distributing relief in this district of which you have spoken?—Well, Lord Mountmorris was in the beginning, was one of the local agents, and the Rev. Father Conway was another, of Clandeboye.

4229. And who else?—The Rev. Father Coeu. Then on the other side, Leenan's side—

4230. You refer to some other side of the country?

4231. (*The Attorney-General.*) It is up at Callaragh?—In fact in the immediate locality there was another agency. It was got at Kilmilkin.

4232. (*Mr. Lockwood.*) Is that part of Connemara?—Yes.

4233. You say, yes; you do not speak of anything outside your district, do you?—Oh! no, no.

4234. But you fortunately were placed in a thriving well-to-do district?—Well, portions of it were very well-to-do; very comfortable people.

4235. I want you to speak out?—Some people were very comfortable.

4236. But speaking generally of the district, that is your opinion?—Yes. I have said there were some districts.

#### Re-examined by Mr. MURPHY.

4237. You have been asked whether Mr. Conolly was in the habit of defending prisoners. Did you ever see him defending prisoners before with Mr. Conway and Mr. Lawrie alongside of him?—Never.

4238. Mr. Conway, was he a gentleman who had influence in that country?—He had wonderful influence; in fact the clergy of their locality had not so much control compared with the influence that he had over them.

4239. Now, distress or no distress, up to 1879, the end of 1879 and into 1880, was that district quiet or not?—Remarkably quiet. The people were a very innocent class of people.



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CONSTABLE PRESTON.

[Continued.]

Sergeant THOMAS WILLIAMS, sworn, examined by Mr. MURPHY.

4240. You are in the Royal Irish Constabulary?—Yes.

4241. Do you know Mr. Robinson?—Yes.

4242. Mr. Robinson of?—Of Roundstone.

4243. He is, I believe, a very old gentleman, upwards of 80 years of age?—About 80.

4244. And unable to travel?—Not able.

(Sir C. Russell.) We have not heard where he was stationed.

4245. (Mr. Murphy.) Where were you stationed in August 1881?—I was stationed at Roundstone, county Galway.

4246. We have heard from the last witness that Mr. Robinson had a person named Armstrong in his employment, and Armstrong had Kyne. Was Armstrong boycotted to your knowledge?—He told me he was.

4247. And Kyne?—Yes.

4248. Were you detailed to protect Mr. Robinson when he went about?—Yes.

4249. Now, do you remember on the 26th August going from "Moran" Hotel with Mr. Robinson when he was going to collect rents for Colonel Clements on a car?—Yes.

4250. In order to see the tenants had he to pass a low mountain road, near Dulety?—Yes.

4251. And in passing across this mountain was he fired at?—Yes.

4252. By some other men who were lying in wait?—There was a wall built, but it was loopholed for 180 yards—it was loopholed, and from under this wall—under this loophole, he was fired at.

4253. Fortunately, I think, he was not hit?—No.

4254. You had another policeman with you?—Yes.

4255. Were you able to find the men?—Well, we got off the car, and immediately there were two or three more shots fired, and we faced the wall where I see the smoke coming from, and some more shots were then fired at very short intervals; but when they saw us facing the wall, two men got out from the wall, and ran away, and I fired at those two.

4256. Now, after this, I believe you had occasion to think it necessary to increase the protection to four constables?—Yes, there were four always afterwards.

4257. Did they continue there some time with him?—Whenever he went out he always had four men with him.

4258. How long?—Well, two years—I was there over two years myself.

4259. Up to that time was the Land League branch at work in that district or not?—I have heard it was, but I do not belong to the district.

(Sir C. Russell.) I do not ask you any question.

(The Attorney-General.) There will be some further evidence about Robinson's case, but I am not able to call it to-day.

JOHN KENNEDY BURKE sworn, examined by Mr. ATKINSON.

4260. Where do you reside?—At Clummonkull, near Woodford.

4261. Have you been long residing there?—Well, except for a short interval.

4262. Do you know the Rev. Mr. Egan?—Yes.

4263. (The President.) What are you?—A magistrate, my Lord.

4264. (Mr. Atkinson.) Do you know the Rev. Mr. Egan?—Yes.

4265. Is he the parish priest of that parish?—No, he was curate. He is parish priest of Dunroy parish—the adjoining parish.

4266. In January 1887, was he curate of the parish then?—Yes.

(Sir C. Russell.) 1887.

(Mr. Atkinson.) Yes.

4267. Was he a member of the Land League?—Yes.

4268. (Mr Justice Smith.) January, 1887?—Yes, sometime previously also I believe he was.

4269. Did you see him attend meetings of the Land League?—No, I did not. I never was at a meeting of the Land League.

4270. Do you know Mr. John Roche, of Woodford?—Yes.



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CONSTABLE PRESTON.

[Continued.]

4271. Do you know whether he is the secretary of the Land League?—I do not know. I have always heard he has been. In fact, I know he is, but I never saw him act as secretary.

4272. On the 9th January 1887, did Mr. Egan come to you in reference to some prosecution that was pending against Mr. John Roche?—Yes.

4273. Did he make any request to you as to attending the court as a magistrate?—Yes, the following day there was a court to be held at Woodford, at which Mr. John Roche was to be prosecuted for a speech he had made.

4274. What did Mr. Egan say to you?—He first referred to a former letter that I had received from the parish priest, Father Coen. He said he came himself as he did not believe in writing, and he thought the better way was to call personally. Father Coen had written about another case, and he came to request that I would attend the court in the interest of Mr. Roche, and he referred to the intended prosecution then, and said it was a mere farce got up by the police for spite. I think he mentioned that no magistrate with any conscience whatsoever could convict on such a charge, and that he expected, and that the people expected I would attend. I told him myself that there was not very cordial relations between us, that we had had some differences about sanitary matters, and that if I was on the bench I would not interfere. He said that was not so, and I was labouring under a mistake.

4275. At all events, did you refuse to appear?—I refused. He referred to it on several occasions then.

4276. As he was going away, did he say anything to you?—Yes.

4277. After you had refused?—Yes.

4278. What did he say to you?—He said the people expected I would attend, and mentioned that several times, and he said also that he would be very sorry I would get into difficulties. I said I knew that was so.

4279. What was so?—I said I thought it was so—that I was not anxious to be put in any difficulty; that is what I said.

4280. What did he say about being put into difficulty?—I took it as to mean that he would be sorry I would be boycotted; that is how I took it.

4281. On the Sunday following the day you had that interview, did your labourers leave you?—They left that week.

4282. You did not go to the sessions?—No, I did not attend the sessions. I told Father Egan I would not attend the sessions. I finally told him I had business of my own, and that if I was boycotted—I did not say boycotted—and that if I got into any trouble, I would live as long as I could.

4283. On the following Sunday did the labourers leave your employment?—Yes, they left,—I beg your pardon, they were called up before the League.

4284. Did they give any reason—were you present at the League yourself?—No, I was never at the League.

4285. When your servants left your employment, did they give you any reason for leaving?—Well, they gave me a reason,—I asked them,—in fact, I knew, from what Father Egan said, I would be boycotted, and I asked each man, and one man said he had pigs to sell, and he had to leave; and then another man gave another excuse, and they were all called up the following Sunday.

4286. Did they tell you so?—Yes.

4287. Tell me the reason they gave,—what excuse they gave for leaving your service?—The excuse they gave was that I did not attend Woodford Sessions in the interest of the cause, and that is to say that I was boycotted publicly, and that they would be afraid.

4288. Afraid to stay?—Yes.

4289. Did they all leave your service?—They all left; two men first. Then two others came after awhile.

4290. Did they also leave?—They all left, except two men and their families; two men and their families did not attend the meetings of the League at all.

4291. How many servants and workmen left you altogether?—Three workmen left that was there constantly. There were several men that would be only occasional workers there. They stayed away altogether.

4292. Were you able to get any groceries in the village?—No, not at Woodford.

4293. Were you able to get your horses shod?—No.

4294. Were you able to get any provisions?—No.



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CONSTABLE PRESTON.

[Continued.]

4295. Where was your horse shod?—Not publicly, my horse was shod privately by a blacksmith.

4296. At night?—Yes.

4297. And this man came from a distance?—Yes, he had some distance to come, and when the plough was to be done it was to be left in a place conveniently,—the wedge was to be stuck in a bush, and word privately sent to the smith where he would get it and the following night one of my boys would get the iron done.

4298. At night time?—Yes.

4299. In order that it might not be observed?—He would do it in the day time, but of course the public did not know whose plough it was.

4300. How long did that boycotting continue?—I think after two weeks; the smith reported the house was watched.

4301. Were you under police protection?—No, the house was for a while.

4302. You had the police about your house?—Yes.

Cross-examined by Mr. TIMOTHY HARRINGTON.

4303. I believe you are a connexion of Mr. John Roche?—No, I do not think I am.

4304. Have you a sister married in the County of Galway?—I believe so.

4305. To whom is she married?—Well, it is only belief, because my sister —

4306. Do you mean to say that you do not know that she is married?—I do not know really, except that my sister wrote to me.

4307. Now, sir, is that imputation on your sister?—I have not the slightest doubt that she is married.

4308. You have not the slightest doubt that she is married?—No, I do not know, not of my own knowledge; in fact, I did not know for some time.

4309. It is the same knowledge that you brought to bear upon the meetings of the League. Did you hear she was married?—Yes, I heard from herself.

4310. To whom is she married?—To John Roche's brother-in-law.

4311. And that is not a connexion, to John Roche's brother-in-law she is married, that is no connexion?—Well, just as you take it. I know, my Lord, I never heard that she was, not particularly. I know Donnell is a connexion, of course, now.

4312. Do you know whether Father Egan is any connexion of the family?—I believe John Roche's sister is, or John Roche's wife is, connected with Father Egan.

4313. Is she first cousin to Father Egan?—No, I think not, but I think she is second cousin.

4314. So between you and John Roche and Father Egan there was a mixed family connection, at all events?—Oh! well, there was for a few months, but it never was acknowledged.

4315. Were you ever a customer of John Roche's?—Yes, I was.

4316. You were?—Yes, I was.

4317. Did you ever boycott John Roche? Come, now answer the question straight. Did you ever boycott John Roche?—No

4318. Did you withdraw your custom from him?—Let me see now, I paid John Roche the last for milling business—for grinding corn.

4319. When?—I think, before there was any Land League in Woodford.

4320. Let us see—it was in 1881 was the distress year?—After the distress.

4321. Before there was any Land League in Woodford?—July 1881, I think, I paid Mr. Roche's last account.

4322. Now explain why you gave up Mr. Roche's custom?—I will tell you the reason.

4323. That is just what I want?—The boy went in a couple of evenings, and there was a mistake about getting flour. You understand there was wheat sent up to be ground, and then the next flour was sent up to McDermott's name, do you see; then between that and when there was flour to be sent again there was some little affair between myself and Roche, and we did not continue on intimate terms. There were differences.

4324. Differences about what?—Differences about sanitary or Poor Law business.



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CONSTABLE PRESTON.

[Continued.]

4325. Now, listen to me. Did you withdraw your custom from Mr. Roche because of the part he had taken in the Poor Law election?—No, I did not—not specially—not as a matter of fact.

4326. Did you do it at all?—In the way I have explained.

4327. The way you explained?—In the way I have explained exactly. It was withdrawn before there was any difference.

4328. But it was not continued after?—Nor since.

4329. And it was the cause of the Poor Law election?—No, not an election. We had no election.

4330. What was it about?—As a matter of fact, it was about nothing.

4331. Did you apply to any person to shoe your horses?—Yes, several.

4332. Give us the name of one person?—I do not know that that is fair. I can give the name.

4333. Give us the name of one smith?

(*The Attorney-General.*) You will judge; the witness said he did speak to several.

(*Witness.*) My Lord, if I understand—

4334. (*Sir C. Russell.*) I understand his statement to be that he was refused shoeing his horse?—I swear I was.

4335. We have a right to test that statement, and there is no reason in the world why we should not know whether that statement is true or not?—One of the smith's is a leader, I know, myself. He will be very much injured if I mention his name.

4336. My question is only as to the persons who refused.

(*The President.*) He gave a reason; that we should have to consider whether it is one that the Court will accept.

4337. (*Mr. T. Harrington.*) I ask as to the persons that refused. Possibly that may hold as to the persons who did it. It cannot hold as to the persons who refused you?—But, Mr. Harrington, there were smiths who refused openly, and did it the same night.

4338. Would not you have served them better if you had simply stated the names?—I would not, because it was pretty well known it was only refused openly.

4339. Now tell me the name of any smith who publicly refused to shoe your horses?—Of course I will tell it, but I do not think it is fair to the smith. Conroy and Hawke, of Portumna. Hawke, of Portumna, shod for me. I believe at the Blunt trial in Portumna my horses were seen going through Woodford by some of the people, and they were sent home within a fortnight's time.

4340. Conroy of Woodford?—No, of Ogilvie. I did not understand you at first.

4341. You mentioned someone of Portumna refused. Did he refuse you, or was it reported?—Well, the horse—

4342. Is it yourself or your servant that was refused?—Well, I very seldom go to the forge myself.

Re-examined by the ATTORNEY-GENERAL.

4343. Did the horse come back shod or unshod?—The horse came back once unshod.

Adjourned till to morrow at half-past 10 o'clock.



*Mr Davitt.*

**“Uncorrected Proof.”**

SPECIAL COMMISSION ACT, 1888.

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ROYAL COURTS OF JUSTICE,  
PROBATE COURT No. 1.  
Thursday, 8th November 1888.

THOMAS HUDDY sworn ; examined by Mr. ATKINSON.

4344. What was your father's name?—Joseph, sir.  
4345. And your uncle's name?—He was not my uncle, he was my nephew.  
4346. Your father's name was Joseph Huddy?—Yes.  
4347. What business did he follow?—He was a bailiff.  
4348. On whose estate?—Lord Ardilaun.  
4349. Had he been long bailiff before January 1882?—Over 20 years.  
4350. Had he been on good terms with the neighbours up to the year 1880?—He was.  
4351. Did that continue down to January 1882?—It did.  
4352. Do you remember on the night of the 2nd January 1882 seeing him with some processes?—Yes.  
4353. Did you read the processes yourself?—Yes, some of them.  
4354. Were they ejectments?—They were.  
4355. What place did you live in—would it be on the side of Lough Corrib?—No, Lough Mask.  
4356. The place where you lived, was it in the county of Mayo or the county of Galway?—Where the processes was served?  
4357. By your father?—Mayo.  
4358. For whom were those ejectment processes?—I recollect one process which I had in my hand was for Mrs. Comans, and another one for one Higgins.  
4359. Did you see any for a man named Flynn?—I do not recollect.  
4360. Do you remember on the morning of the 3rd January 1882 your father leaving home?—Yes.  
4361. Did anybody accompany him?—His nephew.  
4362. What was his nephew's name?—John.  
4363. Did they take the processes with them?—Yes.  
4364. Did they drive in an Irish jaunting car, or how did they go?—I did not see the car, because I was not out at the time.  
4365. They left at all events; did they ever return?—No.  
4366. Was any report made to you about them in the afternoon of that day?—There was.  
4367. In consequence of that report did you go to search for them?—Yes.  
4368. Were you able to find them?—No.  
4369. Did you make inquiries of the people in the district?—Several people; the whole night I was out, and for three weeks afterwards, from the 3rd to the 27th, I could get no clue from man, woman, or child.  
4370. Could you get any information from the people of the district?—No.  
4371. Are the Irish people an Irish-speaking population there?—Yes.  
4372. You understand Irish yourself?—Yes.  
4373. Did you make inquiries in the language they understood?—Yes.  
4374. Some time afterwards did you see their bodies?—Yes, I did, on the 27th, at the Court House, at Clonbur.  
4375. That is, the bodies of Joseph Huddy and John?—Yes.  
4376. What day did you see them?—I think it was on Friday, the 27th of the same month.  
4377. January 1882?—Yes.



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THOMAS HUDDY.

[Continued.]

4378. Did you see any marks on their bodies?—I saw some bullet wounds on the young man's head.

4379. And on the other?—Yes, on the forehead of the old man.

Cross-examined by Sir C. RUSSELL.

4380. How long had your father been bailiff for Lord Ardilaun; he had purchased the property some time before, had he not?—Some years after 1852, as I could learn from the old man.

4381. You do not follow me. Do you mean he had acted as bailiff some years after 1852?—Yes.

4382. But how long had he acted as bailiff to Lord Ardilaun?—To my memory he was bailiff to him.

4383. I thought Lord Ardilaun had purchased this property only a few years before this?—He made several purchases.

4384. Were these ejectment processes on Lord Ardilaun's tenants or on somebody else's tenants?—On Lord Ardilaun's tenants.

4385. Had your father been pretty busy serving ejectment processes that year?—He was serving them the previous day.

4386. He had a number to serve?—He had.

MATTHIAS KERRIGAN sworn; examined through an Interpreter by Mr. ATKINSON.

THOMAS EVANS being sworn to act as Interpreter.

4387. Where do you live?—County Galway.

4388. Did you know a man of the name of Tom Higgins?—I did.

4389. Did Higgins live next you?—Yes.

4390. Near what village?—The village of America.

4391. In January 1882, had you paid your rent?—I was going to pay it.

4392. Do you know a man of the name of Flynn?—Yes.

4393. Did Flynn live near you?—Yes.

4394. Did you go to a Land League meeting in company with Flynn?—He did not go to the meeting, but he went one day with Flynn to Clonbur to see them.

4395. Was Flynn a member of the Clonbur Land League?—He believes he was.

4396. What was the date of the visit you made with Flynn?—I do not know.

4397. Does he know the day on which Huddy was murdered?—Yes, he remembers it well; that it was after Christmas.

4398. Was it before that time when you paid a visit to this place with Flynn?—He believes it is, but he is not sure whether or no.

4399. Did you pay any money to Flynn?—I gave him 6d. on one occasion.

4400. What was that for?—He was telling him he was collecting money for the League.

4401. Who was collecting money?

(*Mr. Timothy Harrington.*) I should ask that the interpreter should put the question to the witness. He has directly suggested "the League" to the witness. When the witness had stated that he did not know, he deliberately suggested "the League."

(*The Interpreter.*) I beg your pardon.

(*Mr. Atkinson.*) He is sworn.

(*The Interpreter.*) I am sworn to this.

(*The President.*) Pardon me. We must put this in a regular form. If you throw doubts on the correctness of the interpretation, you must have another interpreter here, you know. I cannot take the evidence from you.

(*Mr. Harrington.*) It is only with a view of asking the interpreter not to ask a separate question.

(*The President.*) You should address your observations to the Court.

(*Sir C. Russell.*) I think they were addressed to the Court, my Lord.

(*The President.*) It did not appear to me they were addressed to the Court.

(*Mr. Harrington.*) They were, my Lord.

(*Sir C. Russell.*) If your Lordship will give directions to the interpreter that he should simply translate the questions put to him by Mr. Atkinson, and not volunteer a question of his own.



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MATTHIAS KERRIGAN.

[Continued.]

(The President.) Certainly. That is the proper way to do it.

(Sir C. Russell.) If your Lordship will explain that to him.

(The President.) The interpreter hears what I say. That, no doubt, is the proper way of doing it.

4402. (Mr. Atkinson.) Did Flynn tell you what the sixpence was for?—He was collecting money for the Land League.

4403. Did you become a member of the Land League yourself?—I was not.

4404. (Mr. Lockwood.) May I ask your Lordship to tell the interpreter to speak so that we can hear?

4405. (Mr. Atkinson.) Where were you at this time?—He was standing in the street at Fair Hill. They were going backwards and forwards.

4406. Was there a meeting at Fair Hill at the time?—There was a small gathering.

4407. Were there any speakers addressing the meeting?—Yes, there were people talking. He does not know what they were saying.

4408. Does he know who the people were who were the speakers?—He does not know.

4409. Do you remember the 3rd January 1882?—He does not know what day of the month it may be.

4410. Did you see Joseph Huddy and John Huddy some morning in January?—He saw them on the morning he came to the village.

4411. Did you see them approach the house where Tom Higgins lived?—He did not. He did not see them until they came close to his own house.

4412. Did you see anything done to them?—He did.

4413. What was it?—He saw them being killed.

4414. By whom?—Pat Higgins and Tom Higgins and Michael Flynn.

4415. How did they kill them?—Pat Higgins hit him with a stone—the old man—hit him there [*describing the back of the head*] and knocked him against the wall. Tom Higgins came there and Michael Flynn and put shots into them.

4416. What did they do with their bodies after the murder?—They carried them away with them to the water—down towards the water.

4417. What did they do with them then?—He does not know what was done then.

4418. Did he see their bodies afterwards taken up?—He did not see them when they were taken. He was in gaol.

4419. Were you in gaol charged with the murder yourself?—I was.

4420. About how long?—Nine months.

4421. Was he afterwards discharged?—No; he was let out when he gave the names of those that were charged.

4422. Was he discharged from gaol before he had been examined in a Court?—He was.

4423. Do you know whether the people in the country knew that you had given evidence before you were discharged?—The country knew he had given evidence, he says.

4424. Just as he came out of gaol—just as he was outside did anybody give him any money?—He got a trifle of money coming out, leaving the gaol.

4425. How much?—He says he is not sure whether it is 3*l.* or 4*l.*

4426. Where was it given to him?—Just when leaving the gaol.

4427. Who gave it to him?—He does not know. He could not tell.

4428. What kind of person was it? Was it a policeman?—It was not.

4429. Was it a countryman—a farmer?—He could not tell; but a respectable looking man.

4430. Did that man say what he gave it to him for?—He did not.

4431. After were you examined in Court?—He asks is it Fairhill Court.

4432. After being examined was there any change in the conduct of the people towards him—of the neighbours towards him?—There was and there is.

4433. Does he know what boycotting is?—Nothing except to hear it. He knows that they are bad.

4434. What was the change, do you say, in the conduct of the neighbours towards you?—If he sends his cattle to the fair, or his pigs to the market, won't he know it; that is his answer.

4435. What is done to the cattle and pigs?—They do nothing to his cattle or pigs.

4436. Could you sell them?—He could not sell them but very badly.



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MATTHIAS KERRIGAN.

[Continued.]

4437. Could you buy provisions in the village near where you lived?—There is no food selling in the village he is living in.

4438. Can he get his food where he used to get it formerly?—Yes, he can.

4439. Do the people shout at him?

(*Sir C. Russell.*) Do not lead.

4440. (*Mr. Atkinson.*) What change does he observe in the conduct of the people towards him?—He says the gentlemen and the world know that.

4441. Tell us what it is?—He was one day in Cong and they beat him.

4442. Are the police protecting you?—They are.

4443. Still?—Yes, and from that day to this.

4444. When did the police first begin to protect him?—When he left the Galway gaol.

Cross-examined by Sir C. RUSSELL.

4445. Your Lordships probably know the fact, but we may as well have it. Just ask him were these men convicted and hanged?—They were.

4446. How soon after the murder were you taken into custody?—The very night they were killed, I was.

4447. And how long were you in gaol before you made your statement?—Nine months.

4448. Was that money that he speaks of receiving received in the gaol?—Yes.

(*The President.*) I understood him to say, as he came out of gaol.

(*Sir C. Russell.*) Yes, but in the gaol the day he came out.

4449. (*The President.*) Will you be kind enough to get his explanation of that. He has given two answers. (*The interpreter put the question to the witness.*)—It was inside the gates, my Lord, he got the money.

4450. Was it from somebody that he had seen before in the gaol?—He did not see anyone that he knew in the gaol that has given it to him. He wishes to tell your Lordship that he has no understanding of anything more than he is telling you—that he cannot read or write.

4451. That is nothing to do with this. I wanted to know whether it was from some officer in the gaol or from somebody outside the gaol that he received the money?—He could not tell you who it was, more than any gentleman in this house, except to see him.

BRIDGET KERRIGAN SWORN ; examined (through the interpreter) by  
Mr. ATKINSON, Q.C.

4452. Do you recollect the day your husband was arrested?—She remembers it, but she cannot tell the night.

4453. After your husband had been arrested did you receive a letter from Mrs. Keating?—She did not get it so soon, she says.

4454. Did you get a letter from a Mrs. Keating some time after your husband was arrested?—She got a letter from her after he had been in gaol for a good while.

4455. After you had got the letter did you go into the town of Galway?—I did. There was words in the letter to go to Galway.

(*Sir C. Russell.*) Let me have the letter, please, if anything turns upon it.

(*Mr. Atkinson.*) I did not ask anything about the contents of it.

4456. Did she see Mrs. Keating in Galway?—She did.

4457. Had you ever seen her before?—She did not, that she knew.

4458. Did Mrs. Keating speak to her?—She was speaking to a girl, and the girl was telling it to her.

4459. The girl was interpreting?—Exactly.

4460. Did Mrs. Keating give her any money?

(*Sir C. Russell.*) This has not been adverted to, my Lord.

(*The President.*) As far as it goes, I do not see its relevance.

(*Mr. Atkinson.*) We shall prove presently who Mrs. Keating was—what position she occupied.

(*Sir C. Russell.*) We ought certainly to have been told of this.

(*Mr. Atkinson.*) You mean, to have had notice of it?



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BRIDGET KERRIDGE.

[Continued.]

(*Sir C. Russell.*) Yes, certainly.

4461. (*Mr Atkinson.*) How much did Mrs. Keating give her?—4*l.* at that time.

4461*a.* Did Mrs. Keating say what this money was for?—She said nothing, but to give it to her.

4462. Did she give her another sum afterwards?—She sent her 2*l.* again in a letter to Fair Hill.

4463. Did she get the money for the letter—the second letter—at the post office?—She got it in the post. It was in her name.

4464. After your husband was discharged, did you ever see Mrs. Keating again?—No, I did not.

4465. Did Mrs. Keating ever give you any money since?—Not a halfpenny.

(*Sir C. Russell.*) I do not think it has yet appeared—my friend will tell me whether that is not correct—that originally the last witness was arrested as a suspect under Mr. Forster's Act.

(*The Attorney-General.*) No, my Lord, I think the last witness, it will be found, was arrested on the charge of the murder.

(*The President.*) He said so himself. Of course I was relying on the interpreter. He said he was arrested for the murder.

(*Sir C. Russell.*) He might very well have understood so, and that it was on suspicion of that; but what I am calling your Lordship's attention to is that he was arrested as a suspect for having committed this crime under Mr. Forster's Act.

(*The Attorney-General.*) I am very sorry, but I must ask that any statements made by Counsel should be on evidence. My instructions are that what the witness stated is correct, and we shall be able to prove that he was arrested on the charge of the murder of the Huddys.

(*The President.*) That is what he said. That is how the evidence stands at present.

(*Sir C. Russell.*) My grounds for the statement is the return made to the House of Commons by Mr. Forster when he was Irish Secretary: "Return of all persons who have been or are in custody under the Protection of Person and Property (Ireland) Act, up to 31st March 1882, and number 757. The witness Matthias Kerrigan, county Galway, residence Clonbur; date of arrest, 21st February; date of release, — March." Your Lordships will see something will turn upon it.

(*The Attorney-General.*) I only desire to say, with reference to the statement now made by Sir Charles Russell, that the evidence we shall prove will be as the witness has stated it; but whether he was in custody afterwards or not, and at the dates of that return, he was arrested and charged with the murder of the Huddys.

(*Sir C. Russell.*) My Lord, I am not disputing the fact that he was arrested because he was suspected of being concerned in the murder.

(*The Attorney-General.*) My friend must pardon me.

(*The President.*) I caught it that he was arrested in February, and also that he was discharged in March.

(*Sir C. Russell.*) I think, my Lord, those were the dates.

(*The President.*) If that be so, it is evident that he was taken in custody again, because he says he was in custody for nine months.

(*The Attorney-General.*) There is another matter I would point out, that the murder, if I remember right, was on the 2nd January, and he was arrested the day after the murder. The return only speaks of his arrest at some date—either February or March—that is six months after the time he was first under arrest. I only say the evidence will be that he was arrested on the charge of the murder of the Huddys the day after, if not the very day, it took place.

(*Sir C. Russell.*) I do not want to discuss the matter, but it is clear the man could not have been kept in custody all that time.

(*The President.*) The two things are quite consistent.

(*Sir C. Russell.*) They are quite; but it is quite clear he cannot have been kept in custody nine months, except he was under arrest again.

(*The President.*) The probability is he was arrested, as it were, on suspicion of the murder, and that he was detained under the Act.

(*Sir C. Russell.*) Very likely.

Cross-examined by Sir C. RUSSELL.

4466. Was your husband in gaol as a suspect?—She does not know what he was in for; but he was in for the murder.



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MATTHEW RUDDEN AND DAVID KIDD.

[Continued.]

MATTHEW RUDDEN sworn; examined by Mr. ATKINSON.

4467. Are you a sergeant of the Irish Constabulary?—Yes.

4468. Did you arrest Matthias Kerrigan on the 2nd or 4th January, which was it?—On the morning of the 3rd.

4469. On what charge?—On the charge of being concerned in the murder of Joseph Huddy and his nephew.

4470. How long was he kept in custody on that charge?—He was kept in custody about six weeks on that charge. He was then re-arrested under Mr. Forster's Act.

(Sir C. Russell.) That is as your Lordship says.

Cross-examined by Sir C. RUSSELL.

4471. Were you stationed during 1881 and 1882 in Galway?—Yes.

4472. Is that in the West Riding of Galway?—In the West Riding.

4473. Were you there in 1880?—Yes.

4474. What part were you stationed in?—I was stationed in Clonbur in 1880, part of 1879, and 1881.

4475. I just wanted to know could you tell us this. I do not suppose you know the exact figures that I am going to mention to you, but could you tell us generally whether this was going on between January of 1880 and June of 1880. Had there been employed in protecting the process servers 107 officers of the constabulary and 3,300 men, and were there 16 officers and 626 men engaged in carrying out actual evictions?—I could not say exactly the number, but I know there was a large number of police employed in the locality.

4476. And were there some 40 to 50 cases of process serving first, where disturbances arose, and some 12 actual evictions in the West Riding of Galway?—I could not say as to the number. I know such things may have occurred; I know there was process serving.

4477. And evictions?—Well, I cannot say as to evictions; I was not present.

4478. You know that previous to June 1880, between January and June 1880, there was a large number of constabulary and of officers engaged?—Yes, engaged.

Re-examined by Mr. ATKINSON.

4479. Up to 1880, in your experience as a police officer, have you ever known it to be necessary to protect process servers serving processes?—Scarcely ever.

DAVID KIDD sworn; examined by Mr. ATKINSON.

4480. Where were you stationed in January 1882?—I was stationed in the town of Galway.

4481. What are you?—I am a sergeant.

4482. Did you know Mrs. Keating, who lived in Galway?—I did.

4483. Did you see her attend meetings?—No, I never saw her attend meetings.

4484. Was she secretary or treasurer of the Ladies Land League?—I know she was the head of the Ladies Land League in Galway.

4485. Did you see her on any occasion give money to prisoners?—No.

4486. Persons who had been in custody after they had been discharged?—No, I never did.

(Sir C. Russell.) I say at once there is no doubt she did.

Cross-examined by Sir C. RUSSELL.

4487. Do you know that there were under Mr. Forster's Act arrested altogether some thousand people who were known as suspects?—Yes, there were a number brought into Galway.

4488. And you know that a public subscription was got up for the support of the suspects in prison?—Yes; they were supported from the outside.

4489. And you know that the subscription list was an open and public matter?—Yes, certainly, it was open and public.

4490. Now of those thousand people who were arrested as suspects, were any brought to trial, with a very few exceptions; we have one exception this morning in the case of Kerrigan.



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DAVID KIDD.

[Continued.]

(*Mr. Justice A. L. Smith.*) He was not brought to trial.

4490a. (*Sir C. Russell.*) Well he was not. Perhaps I was even wrong in making exception; but so far as you know was any one of the thousand persons imprisoned as suspects ever brought to trial?—I cannot say that there was to my own knowledge.

Cross-examined by Mr. R. T. REID.

4491. Is it the case that these suspects did get from the fund, money to live more comfortably in prison?—Yes, they were supplied from the outside for more comfortable living.

4492. Is it not the case that they were at liberty, if they thought proper, not to accept the better living in the prison, but to live on prison diet and have their families receive the money instead of their receiving the better diet; was not that the case?—Those that were not supplied from the outside when in gaol they used to get a pound a week in lieu of their support.

4493. So that those who chose to live on prison fare would have the money for their families outside instead?—Yes, they would have the money.

(*Mr. Murphy.*) That finishes the Huddy case.

PATRICK BOLGER sworn; examined by Mr. MURPHY.

4494. Constable Bolger, were you on duty at Ahsacragh in Galway in the end of 1879 or beginning of 1880?—Yes.

4495. How long did you remain there?—I remained there until the 3rd of April 1886.

4496. When you went there what was the state of the country as to outrage and crime?—It was very peaceable.

4497. Were there any of the Land League branches then in existence?—No.

4498. Amongst other gentlemen living in the neighbourhood was there a Mr. John Ross Mahon?—Yes.

4499. He is now dead, I think?—Yes.

4500. He was a landed proprietor and a land agent?—Yes.

4501. Did he live at a place called Weston House?—Yes.

4502. On what terms was he with his tenants when you went there?—He was on very good terms with them when I went there.

4503. What was the condition of the country about there as to poverty and so on at that time? Were people well-off or badly-off?—They were very fairly off there. There was a great deal of employment in the neighbourhood.

(*Sir C. Russell.*) Where was this?

4504. (*Mr. Murphy.*) Ahsacragh. Tell their Lordships where that is?—Three and a half English miles west of Ballinasloe.

4505. About 30 miles is it from Galway?—30 or 40.

4506. Amongst other tenants who paid rent to Mr. Mahon, was there one Timothy McLoughlin?—Yes.

4507. Was he a publican?—Yes.

4508. Where did he live?—In the town of Ahsacragh.

4509. At this time was there application to your knowledge or not (if not you will say so) made to Mr. Mahon about reduction of rents?—The tenants made an application for a reduction of 6s. 8d. in the pound.

4510. Was that acceded to or not?—Not at the time.

4511. What was the result?—The result was that the tenants refused to pay the rent.

4512. Is it within your knowledge that Timothy McLoughlin did pay his rent to Mr. Mahon?—Yes.

(*Sir C. Russell.*) Was he there?

(*Mr. Murphy.*) No, but he knows it. If necessary I will ask a question. I am in a position to prove it.

4513. After that date was anything done to the signboard over McLoughlin's public-house?—It was daubed.

4514. For what purpose?—For the purpose of showing they were boycotting him.



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PATRICK BOLGER.

[Continued.]

(*Sir C. Russell.*) Really to ask the witness for what purpose is rather too much, I respectfully submit.

4515. (*Mr. Murphy.*) What was the result of the paint being put?—The man was boycotted.

4516. Do you know a person called Malachy Fallon?—I do.

4517. Were you called or did you have occasion to pass the house of Timothy McLoughlin one day?—I had, one evening.

4518. Did you find Malachy Fallon there?—I saw him in the shop.

4519. What condition was he in?—He was in perfect health.

4520. But had he received any injuries?—Not at the time.

4521. (*Sir C. Russell.*) In McLoughlin's shop?

(*Mr. Murphy.*) Yes.

(*The President.*) In the shop?

(*Mr. Murphy.*) Yes.

4522. What was he doing in the shop?

(*The President.*) Was it something other than a public-house with a sign?

(*Witness.*) Yes, he had a public-house.

4523. And a shop?—Yes.

(*Sir C. Russell.*) My Lord, they generally sell small groceries and things of that kind, I think, in country public-houses. I think so.

4524. (*Mr. Murphy.*) Shortly after that, or soon after that, did anything happen to Malachy Fallon?—On that night, going home, he was severely beaten.

4525. Just answer this question in the terms in which I put it to you. Did he make a complaint to you of a particular person?—He did.

4526. Was that person summoned for beating him?—He was.

4527. When he appeared at the sessions did he, or did he not, mention the name that he had mentioned to you?—He did not. He said he did not know who beat him.

4528. Had he previously mentioned to you the name of the person who beat him?—He had, and to a sergeant also who was with me on that occasion.

4529. Did that beating occur in February 1881?—Yes.

4530. In August 1881 was there a man named Daniel Cruice evicted on the estate of Sir William Mahon?—He was evicted off the estate of Drs. Rowe and Bown.

4531. Was Mr. John Ross Mahon the agent or not?—He was the agent of the property.

4532. On the 21st of August was there a notice found on the land with reference to what would happen to any person who took the land?—Yes, there was a threatening notice.

4533. On that same day was there an auction?—There was an auction.

4534. Attended by about how many people?—I should say 12 or 14.

4535. Did Cruice, the evicted tenant, make any statement to them?—He did.

4536. What did he say?—He said that he was evicted off the place and that he was badly treated by Mr. John Ross Mahon, and that he hoped no one would pay the rent, as he expected to be going back again himself in a few days.

4537. Did he say anything about the Land League?—He said he was a member of the Land League.

4538. Were there any bids for the meadows?—No.

(*Mr. Murphy.*) If it is not admitted, for the convenience of your Lordships' notes we shall endeavour to prove that on the 13th of August Daniel Cruice was allowed 7l. by the Land League on the evening before the auction. I do not know whether that will be disputed.

(*Sir C. Russell.*) I have not the least idea about it.

(*Mr. Murphy.*) For my friend's convenience I can tell him he will find a reference to it on the 13th of August 1881 in "The Freeman's Journal."

(*Sir C. Russell.*) I am much obliged.

4539. (*Mr. Murphy.*) On the night before that auction was there a meeting of the Ahsacragh Land League, to your knowledge?—There was a meeting there.

4540. Who were the leading members of the Land League there at that time?—Mr. Andrew Manning was there at that time, Mr. John Egan, Mr. Pat Pender, and James Tully.



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PATRICK BOLGER.

[Continued.]

4541. On the 26th March 1882 were you on duty in the neighbourhood of Mr. John Ross Mahon's house?—No, I was not.

4542. I see it was another witness. Then you did not see anything done to the house. We will get that from somebody else?—Not at that time.

4543. Did you see it after?—Yes, I saw it that day after the house was blown up.

4544. The house was blown up and you saw it the next day?—Yes.

4545. What was the condition of it?—It was very badly injured.

(The President.) Whose house?

(Mr. Murphy.) Mr. John Ross Mahon's house, Weston House. He only saw it the day after. I shall call another witness.

4546. Amongst other persons arrested for this offence, was there a Mr. Corrisy, or some name like that?—No, I do not know. There was a fellow named Cormican.

4547. That is the name?—Yes, there was Bryan Cormican.

4548. Was he defended by a Mr. Kelly, a solicitor?—Mr. Kelly was the solicitor for the defence.

(Mr. Murphy.) My Lord, Mr. Matt Harris has been subpoenaed to produce some documents. I want a letter of 16th March 1883 from Mr. Kelly; I call him on his *subpœna duces tecum*. If it is not produced, I must deal with it in the regular way.

(Mr. Lockwood.) Mr. Harris is one of the gentlemen for whom I am appearing. I raise no objection to my friend reading any copy.

(Mr. Murphy.) I am obliged to my friend; I will accept that statement.

(Mr. Lockwood.) My learned friend may take it that the letter is not produced, and may prove his copy in the ordinary way.

(Mr. Murphy.) I thought you said I might read a copy, one thing or the other; may I put in a copy of the letter or not?

(Mr. Lockwood.) Prove your copy in the ordinary way.

(Mr. Murphy.) My Lord, I must postpone it for the present if that be so. I thought my friend said I might read my copy of the letter.

(The President.) I thought so too.

(Sir C. Russell.) So he did, but it is desirable to explain how you got that letter.

(Mr. Murphy.) The date will be the 16th March 1883. Perhaps my friend will relieve me from the difficulty of going into this if it is admitted Mr. Kelly defended for the Land League; that is what I seek to prove.

(Mr. Lockwood.) That is a fact I am not in a position to admit.

(Mr. Justice Smith.) From whom to whom?

(Mr. Murphy.) From Mr. Kelly, solicitor to Mr. Matt Harris.

(Sir C. Russell.) What date?

(Mr. Murphy.) 16th March 1883.

(Sir C. Russell.) Very well. Your Lordship will not take this at present.

(The President.) Called for but not produced.

(Mr. Murphy.) Now I have dealt with the 26th March 1882, that is the date I was upon, the date of this outrage.

(Sir C. Russell.) You said August.

(The President.) No, we have gone from August. There was the house blown up. Then we have gone to the next date, March 1883, about this letter. Now you are going back.

4549. (Mr. Murphy.) Now I am going back to get the next incident in this matter. Did you know a man named William Morrissey?—Yes.

4550. Of Clonshea, Rochford?—Of Clonshea, Rochford.

4551. Was he a witness on behalf of the prosecution against one John Raftery who was charged for the outrage at Weston House?—He was a witness for the prosecution against the parties who blew it up.

4552. Amongst others, was one of them John Raftery?—No, John Raftery came and burnt his house afterwards.

4553. Morrissey was a witness in the prosecution about Weston House?—Yes.

4554. On the 16th May was Morrissey's house burnt?—It was.

4555. And was John Raftery charged with burning it?—He was arrested and prosecuted for it.

4556. Do you know whether he was a member of the Land League?—I could not say.



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PATRICK BOLGER.

[Continued.]

4557. What became of that prosecution?—He was convicted at Sligo assizes.

(*The President.*) Raftery was?

(*Mr. Murphy.*) Raftery.

4558. Now, after this attempt to blow up Mr. Mahon's house, was he under police protection till he died in June 1887?—Yes.

(*Sir C. Russell.*) Morrissey?

4559. (*Mr. Murphy.*) No, Mahon was under protection. There is one incident I see I have passed over. After Cruice had been evicted from his farm, did a man named Corless take it?—He was caring it.

4560. Was anything done to his house?—There was an attempt made to burn his house.

4561. Had he been herd there before for Mr. Cruice?—Yes.

4562. And continued for Mr. Mahon?—Yes.

4563. Then there was an attempt to burn his house?—Yes.

4564. Can you give me the date of that; I have not got it here?—I have not it.

Cross-examined by Sir C. RUSSELL.

4565. Will you kindly tell me for whom was Mr. Ross Mahon agent?—He was agent for a number of people.

4566. My question is for whom?—He was for Drs. Rowe and Bown.

4567. Who else?—Sir William Ross Mahon, Lord Cloughbrack, and several others whose names I am not able to give you.

4568. Try; see if you can recollect?—They are not in the county where I am stationed, and I do not know them.

4569. At all events he was agent for a considerable amount of landed property?—Yes.

4570. Was he himself a landowner?—He had, I believe, a small farm or property.

4571. Now, were these tenants who made the application for rent reduction the tenants on all these properties?—No, only on Sir William Ross Mahon's, his brother's property.

4572. Did they get a reduction?—Not at that time.

4573. Did they go into the court?—No, not at that time.

4574. Did they afterwards go into the court?—Some of them went lately into the court, I believe.

4575. And was that the first reduction they got?—No, Sir William reduced the rent immediately; a couple of months after that time they demanded Griffith's valuation.

4576. A couple of months after; just fix the date?—I should say April or May, after January 1881.

4577. You mean April or May of 1886?—No, 1881.

4578. How much had the rents been above Griffith's valuation, do you know?—Oh, I could not say.

4579. Had there been many ejectment processes served on the properties of which Mr. Ross Mahon was agent?—None around the place I was stationed that I knew of.

4580. Do you mean to say none had been served?—None had been served at the time that I knew of.

4581. What time are you speaking of?—1881.

4582. You say there was a good deal of employment in this neighbourhood?—Yes.

4583. How was that arising?—Sir William Ross Mahon had all his tenantry nearly employed there working.

4584. His own tenants?—Yes.

4585. How many tenants had he?—Oh, I could not tell; they were numerous.

4586. Do you recollect, was that after Parliament had granted to the landlords considerable loans of money?—I believe there was something in that way for drainage purposes.

4587. Relief works, in fact?—Something like that, I think.

4588. Then when you said the people were fairly well off, do you mean these relief works gave them employment?—Oh, I believe outside of that he used to give employment to them at that time.



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[Continued.]

4589. You mean upon the land he had in his own hands, his own farm?—Yes.

4590. How many tenants do you suppose he had altogether?—I could not really know. I never counted them.

4591. This man, Tim McLoughlin I think you called him, who paid his rent?—  
—He paid his rent.

4592. Whose tenant was he?—Sir William Ross Mahon's.

4593. He was not depending on his land, I gather?—No.

4594. He was a publican and shopkeeper?—Yes.

4595. The country was very peaceable, was it, before 1879?—Round there; round in that neighbourhood.

4596. I do not know exactly what you mean by round in that neighbourhood?—  
Round the parish of Ahasacragh.

4597. Have not you heard of agrarian crime, as it is called, in that part of Galway before 1879?—Not that I heard of.

4598. Let me remind you. Do you recollect a gentleman of the name of Nolan being shot at more than once; Mr. Sebastian Nolan?—I heard of that, but that was down in Mount Bellew.

4599. How far from Ahsacragh?—I should say 9 or 10 English miles.

4600. Do you recollect the bailiff of Sir William Mahon being shot; the bailiff and gamekeeper, or bailiff or gamekeeper?—I heard it. That was before I came there.

4601. You heard of it. When was that?—I dare say it was some time in 1879.

4602. There are two cases I am putting to you. Was not Mr. Nolan shot at more than once?—I could not say.

4603. Now, I think, you were asked whether you knew of any money being paid to Cruice?—I was not asked, but I saw it in the paper. I was not asked that question, but I saw it in the "Freeman."

4604. Was it you that gave that information about the "Freeman"?—No.

4605. When were you brought here first?—I came here last night.

4606. Is this your first visit to London?—It is.

4607. Who brought you here?—Mr. Soames signed the subpœna.

4608. That is not important, but who was it who heard that you could give any evidence? Who was it who came to you about giving your evidence first?—No one came to me about giving my evidence personally.

4609. Well, or by letter?—I made a statement some time ago about it.

4610. To whom?—To my own authorities.

4611. Who are your own authorities?—The constabulary authorities.

4612. Who?—My own district inspector.

4613. What is his name?—Gilman.

4614. Were you asked by your district inspector to make the statement?—Not personally.

4615. By letter?—By the head constable.

4616. The head constable told you that the district inspector wished you to make a statement?—He asked me what I knew about all these affairs that occurred in Ahsacragh during my time, and I told him then all these things that I am after stating here.

4617. Did you write out the statement, or did somebody else write it out?—The head constable wrote it out.

4618. What is the head constable's name?—Hughes.

4619. Where is he head constable?—In Galway.

4620. When was this statement written down?—The first week in October, I think.

4621. Last month you mean?—Yes.

4622. Now did you know with reference to the payment to Cruice who was an evicted tenant you have told us?—Yes.

4623. You have been asked about a payment which you yourself did not know of, but which you say you saw in the "Freeman"?—I did not know of it, but I saw it in the "Freeman."

4624. You know that there was a fund which was called the Evicted Tenants' Fund?—I heard it. I could not say.

4625. You saw it in the papers?—Yes.



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PATRICK BOLGER.

[Continued.]

4626. And you saw in the papers an announcement of to what evicted tenants these moneys were dispensed?—Yes.

4627. After the tenant had been evicted, the families were maintained by this fund?—Yes.

4628. And in some cases huts erected for the evicted tenants?—So I believe, I do not know.

4629. But I mean you saw all this in the papers?—Yes.

4630. There was no concealment about it?—No.

4631. I understand your statement to be that Kelly defended someone who was charged with blowing up Weston House?—He defended the prisoners on the first occasion, Mr. Kelly, solicitor, from Athlone.

4632. On the first occasion?—Yes.

4633. Who were the prisoners?—Bryan Cormican was one of them, two Rogersons, a man of the name of Kelly, a man of the name of Naughton, Tansey, and Gately.

4634. How many of them altogether were charged; you have mentioned, I think, six names?—I think there were eight or nine of them.

4635. How many were convicted?—There were 14 engaged altogether, and the whole of them, except four, who ran the country, who got away to America, were convicted. That is about 8 or 10.

4636. You told me at first there were eight or nine charged; how many were charged altogether?—There were 14 of them implicated first, it appears.

4637. Charged?—Yes.

4638. Fourteen were supposed to be implicated, you mean?—Yes; four of them got away, and the rest of them were convicted.

4639. Then four of them, you mean, left the country?—Yes.

4640. And the remaining 10 were convicted? And Kelly defended these men?—The first time he was there.

4641. You know, do you not; I do not know whether you do—you may or may not—but you do know, do you not, that a number of persons charged were defended by public funds?—I could not say.

4642. Have you heard that?—No; I could not say.

Cross-examined by Mr. Lockwood.

4643. On this point that my learned friend has been asking you about, the first investigation took place at Sligo, did it not?—I think so. The preliminary inquiry took place at Galway.

4644. Where was it the inquiry took place when the case was investigated, so far as 14 men were concerned, when, as I understand you, nine were committed for trial, and four were let off?—Sligo.

4645. Then you say on that occasion Mr. Kelly appeared?—No, no. In the first go off, when they were arrested first, I saw him appearing for the prisoners in Galway.

4646. Then he did not appear after that first occasion in Galway?—I think not. I think it was Mr. McCormick, to the best of my opinion, who defended them afterwards in Sligo.

4647. And afterwards I believe the prisoners were eventually tried at Galway?—Yes.

4648. And Mr. Kelly did not appear there?—I think not.

4649. I want to get, if I can, what this occasion was you speak of in Galway, because I understand you to say that at Sligo an investigation took place, which resulted in nine men being committed for trial?—Yes.

4650. Then what was the investigation which had previously taken place at Galway?—I think it must be the committal of the prisoners for trial before the magistrates.

4651. But that took place, I understood you to say, at Sligo?—Oh, I meant what took place in Sligo was before the judge.

(The President.) Then how did it come to be tried in Galway?

4652. (Mr. Lockwood.) How did it afterwards come about that the prisoners were tried eventually at Galway?—There was a preliminary inquiry in Galway, and they were tried at Sligo at the assizes and convicted there of this offence.



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PATRICK BOLGER.

[Continued.]

(*The Attorney-General.*) He was mistaken in saying there was a subsequent trial in Galway.

(*The President.*) He corrects that. The trial was at Sligo.

4653. (*Mr. Lockwood.*) Do you say Kelly appeared at the preliminary inquiry?—In Galway.

4654. Were you there?—I was.

4655. He appeared —?—He appeared for the prisoners.

4656. The 14 of them?—I could not say how many, but he appeared there for the prisoners.

4657. No, no, four men were acquitted; I will not say acquitted, but with regard to four the magistrates refused to commit?—There were 9 or 10 arrested, and four ran the country. That is what I mean.

4658. How many men who were charged before the magistrates were committed for trial?—9 or 10; I am not sure which.

4659. Then were some men charged before the magistrates who were not committed for trial?—No, there were none.

(*Mr. Lockwood.*) I understood him to say otherwise.

(*Sir C. Russell.*) No.

(*Mr. Lockwood.*) That is all I ask.

#### Re-examined by the ATTORNEY-GENERAL.

4660. As I understand this, the preliminary charge before the magistrates was at Galway?—Yes.

4661. At which 9 or 10 men were charged?—Yes.

4662. And they were all committed for trial?—They were all committed for trial.

4663. There were four others who ran the the country, as you call it, and were never committed at all?—Never.

4664. For whom did Mr. Kelly appear, as far as you remember?—For the prisoners who were at Galway.

(*Mr. Lockwood.*) He did not appear at the assizes.

(*The Attorney-General.*) I am going to that directly. I cannot quite take it from Mr. Lockwood, not producing the letter. I wish to call Mr. Matt Harris on his subpoena to produce the letters. It has another bearing on the case beyond the mere calling for the production.

(*Sir C. Russell.*) Then call him.

(*The Attorney-General to Mr. Harris.*) Do you produce the letter which was written?

(*Mr. Harris.*) I have not got the letters. If copies of the letters are read I have no objection to state what they contained, as far as my memory serves me.

(*The Attorney-General.*) Very well, I call for the original letters.

(*Mr. Lockwood.*) I am not making any complaint.

(*The Attorney-General.*) We will go on if you please.

4665. Who did defend these gentlemen at Sligo?—I think to the best of my opinion it was Mr. McCormick.

4666. Where does he practise?—I am not sure whether it is Tuam or Ballinrobe.

4667. Either Tuam or Ballinrobe?—Yes.

4668. You were asked some time ago as to what you knew about these outrages that had taken place in your district?—Yes.

4669. And Inspector Hughes wrote down your statement. Did he write down what you told him?—Yes.

4670. You made the statement and Hughes took it down?—Yes.

4671. Now, only one word about the distress. Whether it was from relief works or not, speaking of the whole period you have been referring to, 1880 and 1881, was there or was there not distress in that district from the end of 1879 to the beginning of 1880?—Not to my knowledge.

#### MICHAEL CORLESS sworn; examined by Mr. MURPHY.

4672. Were you formerly employed by Mr. Cruice?—Yes.

4673. Where did he live?—He lived in the county of Galway, in a place called Fair Field.



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MICHAEL CORLESS.

[Continued.]

4674. Is that on Sir William Mahon's property?—I could not answer that; no, not on Sir William Mahon's.

4675. Who was the agent?—Mr. John Ross Mahon was the agent.

4676. Do you remember the time when Cruice was evicted?—Yes, I was there that day.

4677. And did you go on working for Mr. Mahon after Cruice was evicted?—I continued in the same employment. I followed on in the same employment.

4678. How long had you been altogether on that place?—Well, I was something about 15 years.

4679. And up to the time of Cruice's eviction were you on good or bad terms with your neighbours?—Well, some of the neighbours did not care to be on very good terms with me.

4680. What was that for?—Well, on account of its being an evicted farm.

4681. That was after Cruice was evicted?—Yes.

4682. But until Cruice was evicted were you on good terms with them?—The best.

4683. Cruice was evicted, we know, in August 1881. Did something happen to your house after that eviction?—Yes, there did.

4684. When was it?—I think it was in 1882.

4685. What part of 1882, the beginning, or the middle, or the end?—About the 17th night or 18th morning of the month of June.

4686. What was done?—There was an attempt made to burn the house.

4687. How many of you were there in it at the time?—There were 10.

4688. You and your wife, I suppose?—Yes.

4689. And the rest children?—Eight children.

4690. Now, beyond the fact that you continued to work on the farm you had been on for 15 years, had you ever done anything to anybody?—Never anything in my life.

4691. (*Mr. Justice Smith.*) What time in the day or night did this happen?—Something about 1 or 2 o'clock at night.

4692. (*Mr. Murphy.*) Where did the fire catch; do you know? Where was it set fire to?—On the rear of the house.

4693. Did it burn much?—It burnt about the height of 3 feet along. It was a thatched house, as most of them are.

4694. And I suppose you got up and got away with your children as quick as you could?—Yes, they were all hardy, and the water was pretty near us, and we set to work as well as we could, and we got it out.

4695. Had you any neighbours about there?—No, not one; there was no neighbour near us.

4696. Was the land let after that for any length of time or not?—It was not let for 12 months after.

4697. Had you any means of earning your livelihood except by going on herding for Mr. Mahon, the same way as you had been doing for Mr. Cruice; had you any other place to go and work or not?—Oh, I had not; it would not answer me to go to any other place to work.

4698. Were you there whilst a threatening notice was put up?—I was.

4699. Was that on the farm, or what?—I could not answer that question. I am not sure. I heard something about the threatening notice, but I did not see it.

4700. Perhaps you cannot read?—I might read print; not writing.

Cross-examined by Sir C. RUSSELL.

4701. How long had Cruice lived on this land?—He told me himself he was about 28 years on it. He lived about 28 years on that farm.

4702. Did he succeed his father; was his father there before him?—No, his father did not live at all there.

4703. What age was Cruice?—Oh, beggora, sir, I could not answer that.

4704. Was he an elderly man or a middle-aged man?—He might be a man up to 55 or 60. I could not say what the man's age was.

4705. You have no land, have you?—Yes, I have land.

4706. How much?—About 16 or 17 acres.

4707. And had you when you were a herd?—I had, and paid it.

4708. When you were a herd?—Yes.



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MICHAEL CORLESS.

[Continued.]

4709. What wages had you as herd?—Well, now, I had something like 200*l.* a year.

Re-examined by Mr. MURPHY.

4710. Had you to pay for the house or not, or did the 20*l.* go along with the house for the herding?—It did not. I had to pay my own rent and the house rent, and as long as I paid that I could not be evicted out of the caretaking.

4711. You paid for the house, and then had the 20*l.* for the caretaking?

Sergeant HUGH KELLY sworn ; examined by Mr. MURPHY.

4712. Did you go to do duty in the neighbourhood of Ahsacragh?—I went there in May 1882.

4713. I thought you went before. Then you were there, I suppose, at the time that Morrissey's house was burnt?—I was.

4714. Did you know Raftery, who was convicted of the offence?—Yes, John Raftery.

4715. Do you know whether he was connected with the Land League?—I cannot say.

(*Mr. Murphy.*) I thought this witness was there before.

Cross-examined by Sir C. RUSSELL.

4716. I want to ask you a question, as you only came there in May 1882, where had you been stationed before?—In a place called Creggs.

4717. Where?—In the county of Galway.

4718. Still in the county of Galway?—Still in the county of Galway.

4719. What part of Galway is Creggs in?—Adjoining Roscommon.

4720. On the borders of Roscommon?—On the borders of Roscommon.

4721. How long had you been stationed in Creggs?—Three years.

4722. What other parts of the country had you been in?—I was in Athenry before that, and I was in a place called Derrygrime before that, Loughrea before that; that is my whole course all round Galway.

4723. Then has your experience been entirely confined to Galway?—All to Galway.

4724. To Creggs near where Mr. Pollock's was?—Yes.

4725. Is that a place where there was a large and very extensive clearance?—Yes.

4726. Large evictions?—Well, I heard so; I know nothing myself about it.

4727. You probably understand it; were as many as 6,000 persons evicted to make this clearance for miles?—I only heard that. There were no evictions there in my time.

4728. No, but you have seen the ruins of the houses, I suppose?—Yes, I saw them.

4729. And the villages?—Yes.

4730. It was turned into large grazings?—Yes, I saw the grazing farm.

(*The Attorney-General.*) When was this?

(*Sir C. Russell.*) This was a long time before.

(*The Attorney-General.*) 20 years before?

4731. (*Sir C. Russell.*) I think not so much?—This was in 1880. I was there in 1880.

4732. (*Sir C. Russell.*) It is apprehension of these things that I draw attention to. We will get the date, but the story is well known. Of what place are you a native?—I am a native of the County Sligo.

4733. Did you move about much amongst the people when you were stationed at Creggs?—I did. That was my business.

4734. Are you an ordinary constable or what?—I am a sergeant.

4735. What is the pay of a sergeant?—It is now 80*l.* a year or a little over.

4736. Any allowances?—Very little except when you are on duty. When a man is on duty he gets something.

4737. What is that?—It varies according to the time you are absent. If you are absent at night you get 3*s.* 6*d.*

4738. You have had, I suppose, as a matter of duty, to take part in some evictions?—I have. I was often at evictions.



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HUGH KELLY.

[Continued.]

4739. Have you been present when the police and the soldiers have themselves made collections for the poor people who have been turned out?—No, I never was at an eviction where that was done.

4740. You have not subscribed?—No.

4741. Up till and except when the police were engaged in these evictions was there any ill-feeling between the police and the people?—Well, no, I never knew any ill-feeling between them up to the evictions.

4742. Was there much distress in Galway in 1879?—Well, not about where I was stationed, there was no distress.

4743. At Creggs?—They were rather comfortable there.

4744. There was not distress in that place?—No.

4745. But you have moved about in the performance of your duty I suppose over other places. Had there been very bad seasons in 1878 and 1879?—Oh, there were bad seasons.

4746. And was there very considerable distress over part of Galway in 1878 and 1879?—I could not say that. Where I was they were comfortable.

4747. You are speaking of Creggs?—I am speaking of Creggs, where I was.

4748. Who are the principal landowners in Creggs?—Mr. Pollock is the chief one.

4749. But he farms his own land, does not he; he has no tenants, has he?—He has a few tenants.

4750. Are the holdings—except Pollock's and such holdings as that, are they small?—They are small. On the surrounding properties they are small.

4751. And do the people go off to work at other places when work is not to be found?—I do not think they do from that quarter.

4752. From Creggs?—No.

Re-examined by the ATTORNEY-GENERAL.

4753. I want to ask you first about Pollock's clearance; you say you only know what you have heard about that?—That is all.

4754. How many years ago, so far as you have heard, did it take place?—A long time—20 years before.

4755. Do you know whether it was the year 1848?—I am not certain.

4756. You do not know anything about it?—I do not know anything about it whatever.

4757. Or whether the people were paid for going out?—I heard they were paid for leaving the place, and for all the furniture they had in the house.

(*Sir C. Russell.*) He seems to know more for you than he knows for me.

(*The Attorney-General.*) I do not think you asked the question.

4758. About these evictions; how long have you been in the force?—24 years.

4759. When first in your experience was it necessary to have these police assisting at evictions?—Not at the commencement.

4760. Now just try and think, as near as you can, about what year the police had to come and help at the evictions?—Well, I think about 1881.

4761. How many evictions had you been present at, roughly, before that? I do not mean present at—known of?—I do not think I was present at any before 1881.

4762. How many had taken place in the district, you heard of, roughly? You say you never had to go to one of them until, I think you said, 1880?—About 1880.

4763. Did evictions from time to time occur in the districts you were stationed in before that?—Very few.

4764. At those evictions, when they did occur, had there been any scenes, or police required, or anything of the kind?—No, there were no scenes. I was at evictions where there were only three police.

4765. My learned friend put a question to you as to whether you subscribed. I understood your answer to be that you have not been present at any eviction when any subscription was made by the police or soldiers?—No, I was not.

(*Mr. Murphy.*) There is one more witness in this case, but the cannot be found at this moment. I will ask your Lordship to allow me to supply him afterwards.

ROBERT BOTTERILL sworn; examined by Mr. RONAN.

4766. Where is your property situate?—At Newgarden in the county of Galway.



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ROBERT BOTTERILL.

[Continued.]

4767. Is that near Tuam?—Yes, within about 3 miles.

4768. Up to the commencement of the Land League agitation, did you go on well with your tenants?—Perfectly well.

4769. Rents fairly well paid?—Yes.

4770. And good feeling between you and the tenants?—The best possible.

4771. Now, soon after the outbreak of the Land League agitation in 1879 were there notices posted up about your property?—There were.

4772. What was the substance of these notices?—There was one on the 15th of December 1879, cautioning the tenants not to pay rent unless they got a reduction.

4773. From that time on had you a difficulty in dealing with your tenants?—Well, not immediately after that, but about a year or so afterwards.

4774. Had you to process some of them?—Oh, yes, that was two years afterwards.

4775. About when?—In December 1881.

4776. Before the Land League agitation had you been able to get on satisfactorily with these men you had to process?—Oh, very satisfactorily. I gave a good deal of employment; when I went there the place was, I might say, a wreck. I re-built the offices. I made miles, I think, of drains and fences. I never had any difficulty in paying them regularly every week, and I never had any difficulty in getting the rent at the time it was called for.

4777. Do you remember the 19th of December 1882 driving home from Galway with your son and your two daughters?—That is not the date; it was the 19th of January.

4778. 1882?—Yes.

4779. With your son and two daughters?—With my son and two daughters.

4780. Just tell their Lordships yourself what occurred to you?—Nothing occurred from the time I left Galway, which is about 14 Irish miles from my place, till I arrived within nearly an Irish mile of the house, and in passing a bush that was growing by the side of the road two pistol shots were fired at me.

4781. Was anyone ever made amenable for that?—Yes.

4782. Convicted?—No.

4783. After this attempt on your life, was there a police hut erected near your land?—There was.

4784. How long did that continue there?—Very nearly two years.

#### Cross-examined by Sir C. RUSSELL.

4785. Are you a magistrate?—No.

4786. Are you a large landowner, or not?—No.

4787. What extent?—I have two small properties. They are only about 16 or 18 tenants on the place where I reside.

4788. Is that the extent of your tenantry—16 altogether?—Yes, on that place at Newgarden, where I reside.

4789. Have you any property elsewhere?—Yes, a small one.

4790. Where?—One that I got with my wife about a mile from there.

4791. And the two together, how many tenants?—23, I think, altogether.

4792. How long had you been in possession of this property?—Since the year 1871. In 1871 I purchased it.

4793. Were the years up to 1877 reasonably prosperous years?—Yes, they were, I think.

4794. After 1877, were 1878 and 1879 very bad years?—I think the distress was exaggerated. It was not nearly as bad, I think, as the statements that were made in the country.

4795. Will you kindly answer my question, Mr. Botterill?—Were they very bad years, especially for the small farming class?—I would not say they were very bad. There is no doubt there was a difference. I would not say they were very bad.

4796. Were they bad?—They were. As I said, there was a difference in the prices, and a difference in the return of the crops.

4797. Do you know what the difference was according to the Registrar-General's returns in the value of the crop. I take one crop only, the potato crop, in the year 1879 as compared with 1876?—No.



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[Continued.]

4798. Does it not represent on that crop alone a difference of millions?—I really could not say.

4799. Then what are your reasons for saying it was not a bad year—suggesting that it was not a very bad year?—The corn crops were not as bad. They principally rely on the corn crops for the payment of their rent. Their potato crops they merely rely upon for the sustenance of their families.

4800. I see. The crop which was to pay the rent you think did not suffer. It was merely the crop on which they relied for sustenance. Is that what you mean?—The potato crop was an inferior one. There is no doubt about that.

4801. Did you make a reduction in 1878–9?—No, I was never asked.

4802. When did you first make any reduction?—I really could not tell you at this present moment.

4803. Try and think?—I could not tell you.

4804. What year?—I cannot tell you.

4805. Tell me within two years?—I really cannot. I do not recollect. If I did I would tell you at once, but I do not recollect.

4806. Did your tenants take you into the Court?—Not until 1884 and 1885, I think it was.

4807. When did they give the notices?—The year I mentioned. I think 1884 was the first time.

4808. Do you say that was the first notice?—That is my recollection of it.

4809. Then up to that time you had made no reduction?—No.

4810. What reduction was made?—None in some instances and small in others. I think up to 20 per cent., that was the highest. That is my recollection of it.

4811. We will just see. Had you a tenant, Margaret Lardner?—Yes.

4812. Carron?—Carron. That is the small property I got with my wife.

4813. Poor law valuation 10*l.*; rent 17*l.*. Reduced by the Commissioners to 11*l.*. Do you say that is only 20 per cent.?—I speak of the property I reside on. That was the other.

4814. I am taking this, which is an instance given me. ¶

(*The Attorney-General.*) He told you that was the property which he got with his wife, and not what he resided on. He stated that before.

4815. (*Sir C. Russell.*) Do you manage the property you got through your wife?—No, my son does.

4816. Do you receive the rents?—No. My wife does now. I did in the early stages, but not now.

4817. And your son receives them for you?—For my wife.

4818. We will turn to the others if we have any instances of it. What age is your son?—He is 26 or 27 years of age.

4819. Richard Newall; poor-law valuation, 8*l.* 5*s.*; former rent, 15*l.*; reduced rent, 10*l.*. Catherine Leonard; poor-law valuation, 5*l.* 15*s.*; rent, 11*l.* 17*s.*; reduced to 7*l.*. Patrick Lalor; poor-law valuation, 5*l.* 15*s.*; former rent, 11*l.*; reduced to 7*l.*. Now here is, I think, the last of this batch. Patrick O'Brien; poor-law valuation, 10*l.*; rent 17*l.*; reduced to 11*l.*. Do you recognise those figures?—Oh, yes; I admit they are correct.

4820. Did you instruct anyone to appear in the Land Court?—Yes.

4821. To maintain that the rents were fair rents?—Yes.

4822. And called people to prove it?—Yes; I was not present myself. My son was there.

4823. I mean acting for you and for your wife. As regards your own immediate tenants upon your own immediate property, have you made them any reduction at all?—They went to the Land Court in the years I have told you.

4824. Then I will turn to that. When did your son begin to manage this property?—Within the last six or seven years, I think.

4825. Now I would just like to know. Have I, in that list, named all the tenants that are on this property which you got through your wife?—I think so.

4826. Now as regards your own, Henry Hussey does not seem to be there. Henry Hussey, poor-law valuation, 5*l.* 3*s.*; former rent, 6*l.* 14*s.*; judicial rent, 4*l.* 16*s.*, with a right of grazing one cow and two calves and commonage. That probably accounts for it. Had that been disputed, that right of commonage?—No.

4827. Had not you claimed that you had a right to exclude the tenants from that commonage if you chose?—No.



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[Continued.]

4828. Never?—No, distinctly no.

4829. How then did it come as a part of the adjudication of the judicial rent that this was also adjudicated, that they are to have this right?—Because it was stated as a right that the tenants had to this grazing; this grazing is held by the tenants jointly for the three properties surrounding; they had it from time immemorial.

4830. Peter Flood; poor-law valuation, 1*l.* 17*s.* 6*d.*; former rent, 2*l.* 15*s.*; reduced, 2*l.* 5*s.* Thomas Morgan, poor-law valuation, 3*l.*; former rent, 6*l.*; reduced to 4*l.* Honor Caddy Newall; poor-law valuation, 2*l.*; former rent, 3*l.* 12*s.* 6*d.*; judicial rent, 2*l.* 16*s.* That is not John Newall, that is Henry Caddy. John Newall; poor-law valuation, 10*l.*; former rent, 1*l.* 1*s.*; reduced to 16*s.* Matthew Rowan; valuation 1*l.* 10*s.*; former rent, 2*l.* 8*s.*; reduced to 1*l.* 12*s.*, and I think this is the only one where the rent was undisturbed. Patrick McGrath; poor-law valuation, 1*l.* 4*s.*; former rent, 1*l.* 9*s.*; judicial rent, 1*l.* 9*s.*; and grazing of one cow and two calves?—You did not mention the name of John Newall, the father of the young fellow who fired at me.

4831. No, there is no such name here?—He got no reduction.

4832. I think you must make some mistake about that?—I am perfectly satisfied.

4833. I think you must make some mistake, because the only instance in this official return is the one I have given.

4834. (*The Attorney-General.*) Perhaps he did not take him into Court?—Yes, he was one of the first.

(*The Attorney-General.*) Perhaps this is an earlier table.

4835. (*Sir C. Russell.*) Was he before the Court at the same time with the others?—The same time as the others.

4836. Then there is certainly some mistake, inasmuch as the only one here whose rent is not reduced is Patrick Maccabe?—He was the only one who did not claim the grazing, thinking his rent would be reduced more by not doing so.

4837. Did you get in the distress time any of the loan that was made?—No, I paid the money out of my pocket.

4838. Now, you have spoken of the outlay you made; was that upon the farm of your wife's tenants, or your own?—Upon my own land.

4839. Have you ever expended one farthing upon your tenants' property since you got it?—No, there was no necessity for it.

4840. Nor upon the property which your wife has?—No.

4841. (*The President.*) Let me follow that do you mean that they had employment; through what you did?—Yes.

4842. And were paid regularly?—Yes.

4843. (*Sir C. Russell.*) You mean that in making the drains upon your land you employed the labour which was at your door?—The men around.

4844. What were the wages?—From 6*s.* to 15*s.* a week, according to the work they were at, and according to the time of the year they were employed 6*s.*; in the winter generally, 9*s.* in the spring time, potato planting, and then in harvest time 5*s.* a week.

4845. The harvest is a very short time, of course. Then the enormous wages are in winter and spring, 6*s.* to 9*s.*?—Yes.

4846. Do you recollect about the fund that we have heard—the large funds that were raised for relief of distress?—I do, because I was one of the committee.

4847. I was going to ask you about that; were you one of the committee in your own neighbourhood?—I was.

4848. How much did you subscribe to it?—Me! none.

4849. You were dispensing the charity of others?—With the Roman Catholic curate of the parish, and had he remained in the parish we would have had very little of outrages, or any other acts in that part of the country.

4850. I should like to know the name of this gentleman?—The Rev. John Flatley, and I am very glad to have the opportunity of mentioning him.

4851. I am sure he would be very grateful; what is the name?—John Flatley.

4852. Where is he now?—He is in some part of Mayo, but I really could not tell you.

4853. Did some of your thriving tenantry get relief?—No, the whole country got it at the time.

4854. Did some of your tenantry, I am asking you?—They did.

4855. Did you endeavour—although not contributing to this—did you endeavour honestly to apply the funds to the destitute?—As I told you, the clergyman did so;



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[Continued.]

he was the president, and any recommendation coming from other parts he considered them.

4856. You say you assisted this reverend gentleman—that you dispensed this; did you dispense it honestly—the money of other people?—Certainly.

4857. You did to the outside?—Yes, certainly to the best of our ability at the time.

4858. How much did you distribute amongst you own tenants?—I think there were only three that got relief at the time; one was a widow and another was a man with a hug family.

4859. That means a large family?—Yes.

4860. A hug weak family, probably?—That is the usual way of expressing it in Ireland.

4861. A hug young family?—Yes.

4862. Who was the other?—I think the third was a widow also.

4863. Then am I to take it that those were the only three?—To my present recollection, I think they were,

4864. Will you undertake to say there was a single one of your tenants who did not have relief?—Indeed I will.

4865. Mention those you say had not?—I am sure from my recollection at the present moment,—Nolan, Hussey, a man of the name of Ryan, and I could give you more, but not at the present moment.

4866. Do you undertake to say that none of those three received relief?—Yes, according to my recollection.

4867. I am treating you as making the statement upon your oath. Are you able to say positively none of those three received relief?—According to my recollection.

4868. I am asking you upon your oath. Are you able to say so positively?—As far as my recollection will serve me, I do.

4869. Did you. When you were dispensing this relief, that would be in 1879–80?—Yes, it was.

4870. Did you forgive them any of their rent?—No, I was never asked to.

4871. Did you wipe off any of the arrears?—There were no arrears up to that time.

4872. You know 1879–80 you were dispensing relief. Had they paid the 1879 rent then?—They had.

4873. The 1879 rent?—They had.

4874. Up to what date?—I think they paid the year's rent in December, the December following.

4875. That is to say there was what is called a hanging gale?—No; there was no hanging gale with us.

4876. I understood you to say they paid the rent the December following?—No; the 1st November was the end of the year.

4877. Then you mean the succeeding December they paid?—Yes.

4878. They were a hard-working people, were they?—Oh, very fairly.

4879. Did you buy the property?—Yes.

4880. When?—In the year 1871.

4881. Did you raise the rent after you got it?—In some instances I did.

4882. In what instance did you not?—At the present moment I could not tell. I believe I did a little on one and all.

4883. What per-centage?—Oh, it was very small. I could not say at the present moment.

4884. They are small rents?—Yes.

4885. Ten per cent. or 20 per cent.?—Say 10 per cent., at all events.

#### Re-examined by the ATTORNEY-GENERAL.

4886. Now I want your attention for a few moments. You said you had some 16 or 18 tenants on your property?—Yes.

4887. I am speaking of your own property at the present time. Had they remained there from the time you went in 1871, or had they changed much?—There were three changes of men who left it—one in fact left it before I went there, leaving his wife and family after him.

4888. There had been only two changes after the time you took possession?—To the widow of that man, I gave her compensation to clear out and take herself and her family to America.



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[Continued.]

4889. What was your total income from this estate?—It is very very small.

4890. Well, about?—As I hold about two parts of the land myself.

4891. I want to get the total income from these 13 or 14 tenants?—60*l.* or 70*l.* a year.

4892. Up to these notices in 1879 had you any demand for reduction or any complaints from your tenants at all?—Not one.

4893. Now it is true there was distress, and there had been these three farmers relieved. Had there been any complaint of the payment of rent to you up to that time?—Never.

4894. Now the notices were to the end of December 1879?—To the 15th December 1879. What fixes it in my memory is, it was the night of the fair at Shorme; it was held on the 15th December, and directly after that the rents are called for.

4895. At first did these notices have any effect?—No.

4896. How long was it before the actual resistance to the payment of rent that you had to serve the processes?—More than 12 months after.

4897. I understood you to say they paid the 1880 rent without any complaint of any kind?—They paid the 1879.

4898. How many of these tenants did you have to serve civil processes upon?—I think there were only six or seven.

4899. Now I want to ask you: knowing those men, and their having been there before, in your opinion could those men have paid their rent?—Oh, well; and would have paid it if they had been allowed to.

4900. What in your opinion was it caused these to resist the payment of rent by your tenants?—By the Land League.

(*Sir C. Russell.*) I do not object, but my friend has asked what in his opinion was the cause of this nonpayment of rent. I am not objecting to the question, because I shall have to ask a similar question myself.

4901. (*The Attorney-General.*) My learned friend has been asking as to these reductions—that large amount of reductions—were the cause of their not paying the rent. They never took you into the Land Court until 1884–85?—That is my recollection.

4902. You said something about Nolan, the father of the man who shot you. Could you identify the man who shot at you?—No; the night was dark at the time.

4903. How do you know he was the father of the man?—I knew himself and one other were the only two who had arms in the district.

4904. Now with regard to the district, I understood you to say there were three families relieved in that district; you are speaking of 1879 and 1880. When your rents were first raised, was there distress at that time or not?—I stated before it was not nearly so bad as represented.

4905. You say it was exaggerated?—I do.

4906. Was there a Land League in that neighbourhood?—There was. I knew the president.

4907. Who was the president?—The postmaster of the district.

4908. What was his name?—Bartholomew Cannovan.

4909. Do you remember any other of the members?

(*Sir C. Russell.*) I shall ask leave to ask some questions about this. It does not arise out of my cross-examination.

Further cross-examined by Sir C. RUSSELL.

4910. Who was the secretary?—The secretary was Patrick Larnier, the son of Margaret Larnier, who lives on the townland of Corran, in the neighbourhood.

4911. Any other members of the Land League?—There were two or three others. I really do not know their names.

4912. You said just now that if the Rev. Mr. John Flatley, parish priest, had remained in the neighbourhood there would have been no outrage?—There would not.

4913. What was the difference or change?—Because his successor encouraged the Land League.

4914. What was his name?—The Rev. John Canning, I think, was his name. I believe he is now dead from what I have heard.



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[Continued.]

4915. However, you say you resided there yourself?—I do.

4916. You have a considerable amount of land in hand?—I farm largely in addition to living on my own small property.

4917. I understand you to say, in giving evidence on your oath, that it was for supporting the Land League, instead of opposing the Land League?—That is my opinion.

4918. (*The President.*) Are you a tenant as well?—Yes.

4919. Who were you tenant to?—Of St. George's Estate in the neighbourhood of Thetford, two years ago.

4920. How much rent?—Two years ago I paid close upon a thousand a-year rent.

Re-examined by the ATTORNEY-GENERAL.

4921. (*The Attorney-General.*) What was the date when the Land League was established in your neighbourhood?—I could not tell you. The first land meeting was held in August 1880, that is my recollection of it.

4922. And the refusal to pay rents by your tenants was the following rent day, that would be December 1880. How many refused to pay rent?

(*Sir C. Russell.*) He has not said so yet.

(*The Attorney-General.*) He said his rent was paid in 1879, the first refusal was in 1880.

4923. How many tenants refused to pay in December 1880?—I could not tell you.

4924. You said you had to serve six or seven processes?—Yes.

4925. Do you remember whether more refused to pay?—I do not recollect.

4926. According to your evidence the notices did not have much effect upon your tenants until after the Land League meeting had taken place?—No.

Further cross-examined by Sir C. RUSSELL.

4927. Where is the Rev. Mr. Flatley now?—In some part of Mayo.

4928. Do you know what part?—I do not know. He was removed to Hollymount from Ballyclare I heard, and went to Mayo.

(*The President.*) We had all about Mr. Flatley before.

4929. (*Sir C. Russell.*) No, with great deference, my Lord, not when he left. When did he leave?—Some time in 1880.

4930. Try and fix the time?—Some time in 1880.

4931. Will you say it was not in 1881?—I am not certain.

4932. It may have been in 1881?—I could not tell you.

4933. It may have been in 1882?—No, it was not, because the Rev. John Canning or Father Renning, as he was called, was there before that time.

4934. I want to fix it?—I really could not fix the date.

4935. When did the Rev. Father Canning come?—I could not fix the date.

4936. Was it in 1882?—No.

4937. It may have been 1882?—No; it was earlier, I am sure.

4938. Was it 1881?—I believe it was.

4939. Whose tenant did you say you were?—Sir George Thetford. I hold under Lord de Clifford.

4940. To whom did you pay the 1,000*l.* a-year that you spoke of?—I paid 300*l.* a year to Lord de Clifford.

4941. What else?—I paid 150*l.* on the St. George's estate; I paid 160*l.* to a man of the name of Jones in the neighbourhood of Dublin. I paid close on 80*l.* to a man named Anderson in Cross, County Mayo.

4942. Yourself?—That is in round numbers between 600*l.* and 700*l.*?—There were one or two other farms I gave up.

4943-4. Have you applied for a reduction of your rent?—No rent.

4945. Have you got it?—Yes, we have. There was a general reduction made on the property.

4946. What was the reduction Lord de Clifford made?—None up to the time I held. I do not hold under him now.

4947. And the St. George?—20 per cent.

4948. Jones?—I do not hold under him now.

4949. Anderson?—Nor do I hold under her.



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[Continued.]

4950. Did you get a reduction of between 20 and 30 per cent., you yourself, for agricultural land?—20 per cent. was the highest I ever got. I only got that for the last year.

4951. The postmaster was the secretary of the Land League?—Yes.

4952. And the Rev. Mr. Canning, did he take an open part in the League?—Yes.

4953. He did?—Yes, until the time of the suppression. They held their meetings previous to this in one of my tenant's houses, and also a Land League Court, before which I was summoned myself.

4954. And which you did not attend?—I did not.

4955. This was all open; was it published in the district?—No. The proceedings of the Land League meetings were not published.

4956. What were you asked to come to the Court for?—For dismissing a herd for neglect of duty.

4956. What was the man's name?—Patrick Finnigan.

4957. Did you turn him out of any holding?—He had the house from me.

4958. Did you turn him out of the house?—No. I left him in the house.

4959. Is Mr. Canning there still?—No, he is dead, I believe.

4960. Is the postmaster dead?—No, he is still alive.

4961. What is his name?—Bartholomew Callagan.

#### Re-examined by the ATTORNEY-GENERAL.

4962. You said the Land League Court was held in one of your tenant's houses?—Yes.

4963. What was the name?—Patrick Kenny.

4964. You were summoned before him?—Yes.

4965. Had that man anything to do with any similar organisation before this period?—Do you mean Kenny?

4966. Yes?—Never.

4967. Had you been on good terms with him?—On perfectly good terms.

4968. When was it you were summoned before the Land League Court?—I could not really tell you.

4969. Could you remember with reference to the shooting?—Before the shooting.

4970. Long before the shooting?—Not long.

4971. (*Mr. Justice A. L. Smith.*) Did they deliver a document?—No, merely sent a message. One of my own tenants came and he asked me to appear before the people; they wanted to see for what reason he was dismissed, although it was well known in the country at the time.

4972. (*The Attorney-General.*) He had been dismissed for neglect of duty?—Yes.

#### CORNELIUS HAGNEY sworn; examined by Mr. ATKINSON.

4973. Where do you live?—At Garthanamona.

4974. Is that near Portumna, county Galway?—Yes.

4975. Did you know a man of the name of James Fahy?—Yes.

4976. Was he a farmer?—I do not think he was; not to my knowledge; a farmer's son.

4977. Did you purchase any land from his father; purchase the tenant's interest in it?—No, from his father-in-law and uncle.

4978. What was his father-in-law's name?—John Fahy.

4979. When did you purchase it?—In 1869.

4980. From 1869 to 1887 did you live on the farm and work it?—No, I lived a distance from it.

4981. Did you work it, though?—Yes.

4982. Did you get any annoyance or hinderance from any person?—No, not one.

4983. In 1887 did you see a notice posted up on some buildings about this land?—Yes.

4984. What was the notice?—It was a boycotting notice.

4985. Do you recollect, what did the notice contain?—It was containing land-grabbing.



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[Continued.]

4986. Against land-grabbing?—Yes.
4987. After having read the notice, did you attend before the Land League at Loughrea?—Yes.
- (*Sir C. Russell.*) Has he got the notice?
4988. (*Mr. Atkinson.*) Have you got the notice?—No, the head of the constabulary took the notice.
4989. What was the name of the constable or the sergeant who took the notice from you?—The sergeant is here, of the district, but the constable, I do not know his name.
4990. What is the name of the sergeant?—Kegan; he is in Court here.
4991. You say you attended before the Land League at Loughrea?—Yes.
4992. Who composed the meeting?—It was the whole country.
4993. Cannot you give me the names of any persons?—No, but I know Father Egan and Sweeney.
4994. What was Sweeney's name?—I think John. I am not sure. I do not know the name. I was never there before. John or Mitchell—I do not know which.
4995. Was there anybody else whose name you know?—No, I did not know many. I was a stranger there.
4996. What was said to you at this meeting?—The case was drawn down at the meeting.
4997. You mean entertained?—Yes.
4998. What was said; did any of the Fahy's appear?—Yes.
4999. What was the name of the member of the Fahy family who appeared?—James Fahy.
5000. What was the name of the person from whom you had purchased the farm?—The man whom I purchased the farm from was an uncle of his and he got married to a legitimate daughter of the man I have bought the land from.
5001. Did he make any claim to the land then?—He did.
5002. What did he say?—He made a claim saying he had a right to it, and I produced the lease and after that they condemned it.
5003. You produced your lease?—Yes.
5004. You had purchased an interest in the land?—Yes, I paid 100*l*.
5005. You say they condemned it. Who condemned it?—The chairman at the branch.
5006. And who was it?—I think Mr. Sweeney; he and Father Egan both condemned it.
5007. Condemned what?—Fahy's claim.
5008. Decided in your favour?—Yes.
5009. Is that so. Did they decide in your favour or against you?—In my favour.
5010. Did you subsequently appear before the convention in Dublin?—Yes.
- (*Mr. Justice Smith.*) How came he to get there.
5011. (*Mr. Atkinson.*) Were you summoned?—No; I went there when I heard the case had been sent there.
5012. Did Fahy appeal?—Yes. I believe our own branch from Portumna sent it to Dublin.
5013. How did you ascertain that it had been sent before the Dublin branch?—I was told by some of the parties.
5014. Did you appear then again before the Dublin branch?—Yes.
5015. The Central League?—Yes.
5016. Did they appear also?—No.
5017. Who was there in the Dublin meeting when you were there?—I saw only some of the clerks. I think Mr. Quinn was one of them.
5018. Was he the secretary?—I do not know who he was, but I think that is the gentleman I spoke to.
5019. Did Fahy appear there?—No.
5020. Was any decision made?—There was a letter sent from the Central League down to the branch at Loughrea condemning it.
5021. Condemning what?—Condemning the parties who made the application against me.
5022. That is deciding in your favour?—Yes.



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CORNELIUS HAGNEY.

[Continued.]

(Sir C. Russell.) That is not quite the same thing.

5023. (Mr. Atkinson.) How did they condemn them?—They condemned and said that he had no perfect right, whereas I bought it from the proper man and paid down 100l.

5024. To whom was the letter directed?—It was from the central branch to Loughrea. I got the letter myself. It was sent down to me.

5025. Directed to yourself?—Yes.

(The President.) He seems to have something. Have you got it with you?

(The Witness.) This is the book stating the time I bought the land, and what I paid for the land.

(Sir C. Russell.) Let me look at it. (The book was handed to Sir C. Russell.)

5026. (Mr. Atkinson.) After this decision in your favour did you find any change in the demeanour of the people towards you?—I did, sir, a lot.

5027. What did they do to you. Did they do anything to you?—Once when I was going to mass they commenced shouting and groaning and going on in that way.

5028. Did that occur more than once?—It did.

5029. Were they reprov'd by any person for doing this?—Yes, they were summoned to the petty sessions for doing so, and bound to the peace.

5030. Did they cease to annoy you after that?—They did when his lordship came to the chapel.

5031. Who is his lordship?—Bishop Eley.

5032. The Roman Catholic bishop?—Yes.

5033. Did he speak about it?—He did. He said it was no case for boycotting.

5034. And after he had said that, did you get peace afterwards?—Well, it ceased very much, and is now quiet.

5035. Are these the notices you saw posted up?—I never saw any of them, only one.

5036. Which one did you see?—It was the printed form I saw.

5037. Is that it (handing same to witness)?—Yes, that is it.

[The document was put in and read, and was as follows:—]

“Hurrah! for the power of an united people. Down with land-grabbing!

“Boycott Larry Hagney!”

(The Witness.) That is my father.

“And his precious son, Con, that never wished a neighbour prosperity, but were always ready, like hungry shark to pounce on a weak neighbour. Men of Portumna! Men of united Tynagh! Men of brave Killamore! and Men of historic Woodford, one strong pull, and show the world that your determination is not to be despised. Force the Hagneys to give up this farm at once or else crush them to the dust.”

Cross-examined by Sir C. RUSSELL.

5038. Now let us have a connected statement of what this story is. You paid 100l., according to this paper you have handed me, for getting this land?—Yes.

5039. Getting a holding clear up to the 1st of May 1868?—Yes; there was another year's rent after that.

5040. You had to pay an extra year's rent, and you bought this from whom; John Fahy?—From John Fahy.

5041. Who was this man that made the complaint?—He was the man that was married to a legitimate daughter of James.

5042. The man who made the complaint was the son-in-law of the man from whom you bought, and he made a complaint against you?—Yes.

5043. Were you a member yourself of the local Land League?—Yes.

5044. Or the National League, I believe, was the name at that time?—Much the same, sir.

5045. And you went to the meetings of the League?—Yes.

5046. And amongst other people there was John Sweeney?—Yes.

5047. And another was Father Egan?—Yes.

5048. Which of them was in the chair?—Sweeny, I think.

5049. Was he the president of the Association?—No; he was commonly called the chairman there; that is all I know.



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CORNELIUS HAGNEY.

[Continued.]

5050. And they heard Fahy, I suppose?—Yes, both parties came face to face.  
 5051. And they heard him?—Yes.  
 5052. Face to face?—Yes, face to face.  
 5053. And the end of it was that John Sweeney and Father Egan both said that Fahy had no ground of complaint?—No ground of complaint.  
 5054. And that you were in your right?—Yes.  
 5055. And sent Fahy about his business?—Yes, and said they hoped they would never hear any more about it.  
 5056. After that, you said you heard that Fahy had written to Dublin?—I think it was the branch of the League, or something, who had written to Dublin.  
 5057. You heard before that that some communication had been made to Dublin?—Yes.  
 5058. Did you yourself thereupon go up to Dublin?—Yes. I was anxious to see if there was any doubt.  
 5059. Did you go to Dublin of your own accord, or was there a summons or letter calling you to Dublin?—I went of my own accord.  
 5060. And you then saw, I think, the secretary, Quinn?—Yes.  
 5061. The assistant secretary I am told he is?—I do not know what he is.  
 5062. At all events you said a person called Quinn; and you told Quinn the story?—Yes.  
 5063. At that time were you beginning to be annoyed by these men that were shouting at you?—Yes.  
 5064. Did Quinn tell you to summons them to the petty sessions?—Distinctly.  
 5065. And did he write a letter?—Yes.  
 5066. Did you, sometime recently, return that letter to Dublin?—Yes.  
 5067. Is that it? Just take it in your hand and see (*handing letter to the witness*)?—It is a copy of it.  
 5068. Is not that the letter you got?—No, sir.  
 5069. It looks to me an original. Just look at it again?—No, it is a copy.  
 5070. Read it, please. I am told that that is the original?—It is not, sir.  
 5071. Well, you ought to know?—There is another in it, too. There are two letters.  
 5072. Just see if that is the other (*handing another letter to the witness*). You returned them yourself, you know, lately to the office in Dublin. Are not those the two letters?—Yes.  
 5073. You are now clear that those are the two letters?—No; they are copies of the letters that were written to me. I have the letters that were written to myself.  
 5074. Where are they? (*The witness produced the original letters and handed them to Sir Charles Russell.*) I see now what it means. I was under the impression that they were, and they looked like, original letters. You brought the original letters to Dublin?—Yes.  
 5075. Did you send them or take them?—I took them.  
 5076. And were copies then taken of them?—Yes. (*The copies were handed to their Lordships.*)  
 5077. And these are the original letters?—Yes.  
 5078. Now, we will read them both. On the earliest the post-mark is the 23rd of February. I presume they are copies of what your Lordships have there. Just in order to make the thing clear, what time was it you went to Dublin; do you recollect?—I do not know very well.  
 5079. Or had you written before you went to Dublin?—Yes, I think I had.  
 5080. (*Sir C. Russell.*) My Lords, the first letter is dated the 28th February 1887, and it is signed T. Harrington, Hon. Secretary, Dr. J. H. Mr. Cornelius Hegney, New Bridge, Portumna:—

“Dear Sir,

“You do not expect, I am sure, that I could have control over individuals in  
 “their individual action; my right to interfere is only so far as the action of our  
 “branch is concerned, and according to your own letter the conduct complained  
 “of by you has been condemned by the branch committee existing at Loughrea;  
 “therefore I can have nothing more to say in the matter.

“Yours faithfully,

“ (Signed) T. Harrington.

“Hon. Secretary.”

you do not object to its being handed in to the Court?—No.



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CORNELIUS HAGNEY.

[Continued.]

(The President.) Here are the copies. I am following them.

(Sir C. Russell.) My Lord, the next is the 2nd March 1887 addressed to Cornelius Hegney, New Bridge, Portumna, signed T. Harrington, Hon. Secretary, Dr. J. H.

(The President.) It is the same as the other, but I rather think it was written by a different person.

(Sir C. Russell.) Your Lordship has got copies.

(The President.) I know. I imagined that Dr. J. H. meant the person who compared it.

(Sir C. Russell.) No, it is a copy of the letter as it stands in the original, and the initials to the original are D. J. H.

(Mr. R. T. Reid.) It is an exact copy.

(The President.) What does D. J. H. mean?

(Sir C. Russell.) That is the initials of the clerk who dictates the letter to the shorthand writer or the person who takes the letter down (reading the letter as follows:—)

2nd March 1887.

“Dear Sir,

“With reference to the boycotting notices that have been issued against you in the district of Portumna, I would suggest your bringing the matter under the notice of the local branch, and when doing so you might produce this letter of authority from the central body here, for the purposes of having them adopt a resolution condemnatory of the posting of these notices, and that the alleged charge against you is groundless.

“Yours faithfully,

(Signed) “T. Harrington,

“Hon. Secretary.”

5081. Those are the notices which have been put in?—Yes.

5082. Do you know whether you produced that letter to the branch which is referred to, and whether they did pass a resolution condemning these boycotting notices?—Well, I do not know that they did; but I know that I produced the letter.

5083. And after that you say the boycotting was less troublesome?—Yes, it was less troublesome since the bishop spoke, but not before then.

5084. At all events, as far as you can judge, the local branch of the Land League did their best to prevent your being annoyed?—All the good in the world; they did their best.

5085. And as I understand you, although they did their best, it was not until the bishop spoke about it that the annoyance ceased?—No respectable man in or about the country interfered with me.

5086. And there are a great number of people about there who are members of the Land League?—Each and every one of them.

5087. I wish, my Lords, to follow this. What extent of land have you yourself?—I have not much, sir, but I live in the house with my father.

5088. Has he a large farm?—No, I gave up a great deal of the land since this boycotting took place.

5089. Which land?—I had other grass farm, and I gave it up. It was in a different county to my own.

5090. Where was that?—In Tipperary.

5091. You say that the people about Portumna are all members of the Land League?—To my knowledge.

5092. Is it true that it is merely the “riff-raff” of the place who are members of the Land League, or are all the respectable people members of it?—Well, all the respectable men are members of it, to my own knowledge.

5093. I do not know about this grass farm which you had in Tipperary, whether we need pursue that, but how far was it from Portumna?—Only about a mile and a half, or rather two English miles.

5094. I did not know that it came up so close as that. Whose grass land was this?

—Mr. Stoney is the gentleman I had it from.

5095. Had there been a man evicted from it?—No, it was only his own land I had.

5096. Why did you give it up?—Well, as I think, I could not at the time work it very well.



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CORNELIUS HAGNEY.

[Continued.]

5097. You have told us that all the people practically about Portumna are members of this League. Has there, to your knowledge, been any kind of compulsion put upon men to become members of the League?—Well, not to my knowledge.

Re-examined by the ATTORNEY-GENERAL.

5098. What was the branch you formed?—Portumna.

5099. Is that the name of the branch?—Yes.

5100. Was there a man named Hallaren in your employ?—Yes.

5101. One word about these letters. When did you take them back to Dublin?—When I was coming on here.

5102. How long ago?—Whatever day I got there. I think it was on Monday.

5103. When you got the subpoena you went to Dublin?—I did, sir; I wanted to know what was the cause of bringing me here.

5104. Did you take these letters with you?—I did.

5105. Did you show the letters to somebody there?—I did.

5106. In the Land League office in Dublin?—Yes.

5107. What was the name of the gentleman?—I do not know. He did not give me his name. I think it was Quinn. I think it was the same man I was speaking to before.

5108. Did he then take copies of the letters?—He did.

5109. So that copies of these letters were taken by somebody in the Land League office last Monday?—Yes.

5110. Then having taken copies of the letters, he handed back the originals to you?—Yes.

5111. Do you know who those copies were given to?—I do not.

5112. All you know is you left them in the National Land League office?—I know no more about it.

(*Sir C. Russell.*) They are produced to me now by Mr. Harrington.

5113. (*The Attorney-General.*) Had you any other letters from the Land League besides these two?—No.

5114. Nothing but these two?—No.

(*The Attorney-General.*) You may have your book back.

(*Sir C. Russell.*) And my Lord says you may have these letters, if you place any value upon them.

(*The Witness.*) They may be useful.

(*The Secretary.*) The copies may go in, then?

(*Sir C. Russell.*) Yes. Your Lordships have the copies.

FREDERICK WADE sworn; examined by Mr. ATKINSON.

5115. Are you a district inspector in the constabulary?—Yes.

5116. Where are you stationed?—Portumna.

5117. How long have you been there?—Since October 1885.

5118. Did you receive these different notices from any of the constables under your charge (*handing the same to the witness*)?—Yes.

(*Sir C. Russell.*) These are the notices referred to by the last witness.

5119. (*Mr. Atkinson.*) One of them. He only saw one of them. Where were they found, do you know?—Well, they were found in the neighbourhood of Gorthanamona.

5120. Is that Hagney's farm?—Yes, Hagney's is the townland of Gorthanamona.

[*The notices were handed in.*]

(*Mr. Atkinson.*) They are of the same purport as the others, my Lord.

(*Sir C. Russell.*) Perhaps they had better be read. I do not care.

(*Mr. Atkinson.*) The first word is torn out of the first notice. [*The notices were read as follows:—*]

“Boycott Con. Heagney, the grabber that grabbed Fahey's farm, Edward Maloney, the shopkeeper, Portumna, who is supporting Heagney, the spy. No man to go into his house the fair day.”

No. 2. “Don't Boycott Con. Heagney, the grabber, that grabbed Fahey's farm; Edward Maloney, the shopkeeper, Portumna, that's supporting Con. Heagney, the spy. No man to go into his house the fair day.”



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FREDERICK WADE AND OTHERS.

[Continued.]

No. 3. "Hurrah! for the power of a united people! Down with the Heagneys! Boycott Mick Conway and family. As usual Conway's pullet was caught in the act of returning from church on Ash Wednesday. She was in high conversation with Boycott's wife. She has trampled on her father's oath. She do not mind. She knows he would take nine oaths for a blackberry. Men of Portumna, Killamore, Tynagh, and Woodford, make the sign of the Cross on your foreheads when you meet the man who will supply him."

No. 4. "Boycott Mick Halloran, Heagney's herd. Don't allow him to earn anything down there."

(Mr. Atkinson.) And there are several repetitions of the last.

(Mr. Reid.) They are all the same.

(Mr. Atkinson.) They are all the same.

(Mr. Lockwood.) Might I ask one question of the witness Hagney?

(The President.) Yes.

(Mr. Lockwood.) Would your Lordship give me the notice that has reference to a man named Maloney?

(The President.) The shopkeeper, you mean.

(Mr. Lockwood.) Yes. I think it is Con. Maloney.

CORNELIUS HAGNEY recalled, cross-examined by Mr. LOCKWOOD.

5121. Do you know a man named Edward Maloney?—I do.

5122. Is he a member of the National League?—He is.

5123. This is the notice that we wanted, "Don't boycott Con. Heagney, the grabber that grabbed Fahey's farm; Edward Maloney, the shopkeeper, Portumna, that is supporting Con. Heagney, the spy. No man to go into his house the fair day." Is that man that is mentioned there, Edward Maloney, the shopkeeper—a member of the National League?—He is, sir.

(Mr. Lockwood.) I would go through the other notices, but my friend Mr. Atkinson says they refer to the same man.

(Mr. Atkinson.) One of the others. It is merely a copy of that.

MATTHEW LEONARD sworn, examined by Mr. ATKINSON.

5124. What is your name?—Matthew Leonard.

5125. Are you in the employment of Mr. Bodkin, of Kilcooney, in the county of Galway?—Yes.

5126. Were you in his employment in February 1880?—I was.

5127. As what. What post had you?—I was stewarding in the wood—game-keeper.

5128. Had he a man of the name of Mannion, a tenant on his estate?—Yes.

5129. Was Mannion evicted for nonpayment of rent?—Yes.

5130. When was he evicted?—I could not exactly tell the time.

5131. Now shortly after Mannion was evicted, did a number of people come to your house?—Yes.

5132. Did they come at night?—Yes.

5133. Did they get admission; did you let them in?—I did.

5134. What did they do when they came to the house first?—They knocked at the door, and I had to let them in; and I asked who was that? "Police," they said.

5135. Police?—Yes. "Well, I do not think," says I, "there is no need for any police to come to my house to-night, and I think if there is, they may stop until the morning. When I close my door I am not in the habit of letting anybody in."

5136. What did they say to that; did they make any reply to that?—"Well, you won't let me in?" "No," says I. No sooner was the word said than there was a shot fired in; and then another and another.

5137. Through the door?—Through the door and the window.

5138. Did they say anything, in addition to firing the shots. Did they say anything—make use of any threat or anything?—Well, they said, "You know if I do not let us in—now will you let us in." I will not, I defy you to come in.

5139. You said that?—Yes. I said, "As long as 100 shots will last me I will have 100."



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MATTHEW LEONARD.

[Continued.]

5140. You wanted to frighten them?—They were there at the time.
5141. Did they hurt you?—They did not hurt me.
5142. Did you ultimately let them in?—They cried out then if I did not let them in they would get the paraffin oil and burn the place, and my offices the other side; and before they did that I said I would let them in.
5143. When you did let them in were there many there?—I could not tell you.
5144. Was there a crowd?—The house was thronged, and when I went outside I could not say but there were 500.
5145. Were they disguised in any way that came in?—No, they were fine-looking men that came in—well dressed.
5146. Had they anything on their faces?—Not a ha'porth. Well, clean and good-looking men.
5147. Had they any arms with them?—Plenty.
5148. What kind of arms?—Revolvers and carbines as good as the Queen has.
5149. Did they do anything to you?—Well, they wanted to put me into the coffin.
5150. Did they bring a coffin with them?—Yes, a big large one.
5151. Did they bring the coffin into your house?—Yes, and put in on the floor.
5152. When the coffin was brought in, tell us what any of the crowd said to you?—They made me pray for my soul, and they wanted me to go on my knees on the coffin and they took the lid off it and they said was I such a man, and it was a great shame for me to be carrying letters to my master and to go by such a man, and to hold his land.
5153. Whose holding?—James Mannion's.
5154. What did you say?—I said it was the greatest mistake they ever made; I never intended to buy a bit of land, and if I had that bit of land, I would not take it if I could have it for nothing; I had too much of my own holding to maintain. Some of them said they were quite right; they were making their way to another place, and they wanted to give me a visit.
5155. Did they administer any oath to you?—No.
5156. Did they make you swear?—No.
5157. Was any gun presented to you?—Yes; there were five revolvers left with me and five more left by the side.
5158. Did any of the crowd that came in do anything, after this conversation about Mannion's farm. Did any of them do anything to you?—That is what I am telling you.
5159. What was it they did?—Bring me in the coffin.
5160. Did they then leave; did the crowd go away?—They told me not to leave the house until the morning.
5161. Were you warned not to leave the house?—No.
5162. What did they say to you?—One man turned back to me and told me not to leave the house until the morning, and if I did I would suffer, and that there was two men outside the door watching me, so I did not leave the house.
5163. About what time of the night was it they made this visit?—It was between 11 and 12. I have a clock, and sometimes I have it right and sometimes wrong.
5164. At all events you did not leave the house until the morning?—I did not.
5165. Did you know any of the men?—I did not; that was what I was sorry for.
5166. You did not take Mannion's farm after that?—Oh! no, nor any farm. No man had it. He had it himself. It was no good to anyone, the same farm.

## Cross-examined by Mr. REID.

5167. Had any of these men their faces disguised; were their faces blackened?—No; fine, washed, and moustache and beard.
5168. Do you know the people of this neighbourhood?—Yes.
5169. You lived there a long time?—I have. There is hardly a man within five miles of me, from 15 years to 60, but which I know perfectly well.
5170. I understand you your house was thronged with people that came in?—Yes.
5171. And there were about 500 outside?—I do not know. I think there would be more, I think,



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MATTHEW LEONARD.

[Continued.]

5172. More than 500?—I would not have much time to look at them.

5173. You said there were 500 outside, as well as that your house was thronged?—I think there was more; I could not tell you, but it could not be under 500, because I have not seen 500 in abreast.

5174. Although you know every man within five miles, you swear you cannot name a single person?—Indeed I think there is not a man from about 15 to 20 years of age at the present time but that I have known for the last few years, up to 60 years. They could not be about me without my knowing, because I am on business myself going about shooting.

5175. Was anybody present in the house besides yourself?—There was.

5176. Who?—My missus and family.

5177. Is your wife here?—My wife is not here—my wife did not see anyone.

5178. She did not see anyone?—No, except some of them.

5179. You said just now your wife did not see anyone?—She did not see only some of them—they were locked up.

5180. You said your wife did not see any of them—is that true?—No, of what was outside.

5181. Did you make complaints of this to the police?—Yes.

5182. Did you ask the police to see the place where your house was shot through?—They came themselves.

5183. Who were the police that came?—I am not sure. I do not know. I did not respect them very much at the same time. I was vexed, I was mad vexed. I thought they should hear the shots; there was not one shot, or two, or three, or four. They have their barracks within a mile of me, and there were 100 shots.

5184. They brought lights with them?—Yes.

5185. Listen to me, did they bring lights with them?—A candle—a big candle.

5186. They brought that and lighted it in the house?—Yes.

5187. So that anybody could see them and their faces?—Yes.

5188. Anybody?—Anybody.

5189. You yourself among them?—Anybody.

#### Cross-examined by Mr. LOCKWOOD.

5190. I think you said just now, in answer to my learned friend Mr. Atkinson, that you thought they were making their way to another place, and that they just thought they would pay you a visit on their way?—That is what I heard.

5191. The 500, or however many that there were, they had not started out for the purpose of coming to pay you a visit, but they passed your house and thought they would look in—is that what you mean?—No, I mean off the road.

5192. You said they were making their way to another place and thought they would pay you a visit?—That is what they said; one man.

5193. Is not that what you thought?—No, but he told me it was my own fault if I had let them in at first, it would be nothing wrong with me that they did not intend to come to me at all but it was to another man.

5194. That they did not intend to do you any harm?—If I let them in.

5195. I did not catch what you said about firing shots.

(*The President.*) He said a shot was fired and another and another.

(*Mr. Lockwood.*) Yes, my Lord, but I think he said something about it was fired in fun. I do not know whether your Lordships would allow the shorthand writer to read it. I took a note of what he said.

5196. Did you use the word "fun"?—No.

5197. Did you say it was all in fun or you thought it was all in fun?—I think it was until they fired the shots.

(*The Attorney-General.*) He said they fired the shot.

5198. (*Mr. Lockwood.*) I thought he did at one time. You thought it was all in fun until they fired?—I thought it was at first.

5199. You do not know which way they came to your house?—I know well some of them were bad and some good. They put the ball very near to the bed.

5200. I am asking you with regard to the way they came. Do you know the way they passed the police barracks to get to your house?—I could not tell.



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MATTHEW LEONARD.

[Continued.]

5201. Could you tell me the name of the constable who came to your house?—I could not, because I never asked his name.

5202. Are the constables stationed near you?—No. None of them is near there at all.

5203. But he was there at the time, or he would not have come. Do not you know his name?—Not in the nearest barrack.

Re-examined by the ATTORNEY-GENERAL.

5204. Are you living there still?—Yes.

5205. (*The President.*) You said something about their whiskers and moustaches?—Yes, they had. They were dressed in every way.

5206. Well, well. Do you mean by that that it was something that attracted your attention? Do you mean that they wore false moustaches?—I could not tell whether they did or not. But they looked—— I was asked before were they coloured in the face, and I watched about that for fear they would come, and I marked them well, and they had no sign; and I would not say they had any false moustache, because I am well used to them and saw them.

Court adjourned for a short time.

THOMAS CONNAIR sworn, examined by Mr. MURPHY.

5207. Where were you living in November 1881?—In the townland of Shrahana-nante.

5208. Is that in the county of Galway?—Yes.

5209. Whose tenant were you?—A tenant of Sir Henry Burke.

5210. How long had you been living there?—Something about 34 years.

5211. Who were there living in your house on the night of the 26th November 1881?—Begad, I am not sure. I do not know.

5212. How many people were there about?—I did not see anyone in it.

5213. How many members of your family were there?—There was something about nine in family with myself and the wife.

5214. What is the largest town near where you live, the biggest town near where you were living?—Oh, it is a small townland.

5215. What is the biggest town that is near?—Loughrea; within four miles of Loughrea.

5216. Did anything happen to your house on the night of the 26th November 1881?—It was burnt.

5217. About what time?—Between 12 and 1 o'clock.

5218. Were there any shots fired through the window at the time?—Well, I could not say, but I heard a little report and I did not know when the shot was fired. I did not know whether the thatch was burned down or not. The wall of the house was burnt down. I did not know whether it was a shot or what it was, but it appeared like a report.

5219. Was it like the report of a shot of a gun?—I could not say.

5220. Is it like anything else you could suggest?—Begorra, I do not know. I was fast asleep.

5221. You heard it though you were fast asleep?—Yes.

5222. It must have been a pretty loud report?—Yes.

5223. Now just tell me had your rent been paid to the landlord shortly before that?—The rent was paid, but I never was threatened about paying rent or any other thing of the sort.

5224. During the time you were there, were you living on good or on bad terms with your neighbours?—Since I came there the next door neighbours did not speak a word for these 24 years to one another.

5225. (*The President.*) Repeat what you said?—A few of the neighbours, the next door neighbours to me, I did not speak a word to them nor they to me for the last 12 years before that.

5226. (*Mr. Murphy.*) With that exception were you on good terms with your neighbours?—I do not know nothing about them but that.



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THOMAS CONNAIR.

[Continued.]

5227. Did you have any quarrels with any of your neighbours?—I had, and I had them bound to the peace for that.

5228. What was their names?—The Welches.

5229. With the exception of the Welches, were you on good terms with your neighbours?—I was, all but them.

5230. All but them you were on good terms with?—Yes.

5231. After the burning of this house, did you make a claim for malicious burning of your place?—I did.

5232. And were allowed, I think, the full amount of your claim?—I was allowed 80*l.*, all I claimed for it.

5233. When you made that claim, what did you say was the ground upon which you suggested that your house had been maliciously burnt?—I could not know how it had been burnt.

5234. Come, come, come, just think. With your Lordship's permission I will ask him what was the claim he made, and the ground he alleged before the grand jury.

(*The President.*) Yes.

5235. (*Mr. Murphy.*) Did you allege your house was burnt because you paid your rent?—I did not allege that, but it was burnt, and I asked 80*l.*

5236. (*The President.*) Witness, will you remember I have to hear what you have to say. It is no use talking with your hands like that. Turn towards me, and let me hear what you say?—Yes, my Lord.

5237. What is the answer to the question. Did you allege that your house had been burnt because you paid your rent?—No.

5238. You did not say so?—No, I did not say anything at all, but I wanted to be paid for it when I was not able to make it up without getting help to do it.

5239. (*Mr. Murphy.*) Now just think for one moment. This is a serious matter. Do you mean to swear that you did not state before the grand jury that your house was burnt because you paid the rent?—Well, I cannot answer two.

5240. (*The President.*) You are to answer that gentleman, but you are to make me hear. I am sure you understand?—Well, I will.

5241. (*Mr. Murphy.*) Now I caution you. Will you swear that you did not state before the grand jury that your house was burnt because you paid your rent?—I swore before the grand jury, but I was not after the rent, or any other thing but the burning of the house.

5242. I will put the question again. Will you swear you did not state before the grand jury that your house was burnt because you paid your rent?—Well, I did not mention any rent.

5243. Did you say that?—I did not mention any rent. I swear I would not wish for 80*l.* for my house to be burnt and for me to be in a cow-house for something about the length of time it was burnt up to September.

5244. Can you suggest any cause that would lead anybody to burn your house, except that you had paid your rent?—No, my Lord.

(*Sir C. Russell.*) That is no cause.

(*The President.*) There is one thing he can answer; what ground did he put forward for having this claim allowed.

5245. (*Sir C. Russell.*) Any malicious injury would be enough?—For malicious injury.

5246. (*The President.*) We want to know what was said. Is it sufficient for a witness to say he believes it to be malicious?—Yes, your Lordship.

(*Mr. Murphy.*) I believe—I speak under the correction of those who know better on this subject—that it is necessary to prove the class of malice.

(*The President.*) I should have thought so.

(*Sir C. Russell.*) It is to be proved the injury is malicious.

(*The President.*) I am only judging by what I should imagine myself. It is not sufficient a man should come and claim; he must give some grounds.

(*Sir C. Russell.*) Certainly not. He has to prove the injury was wanton and malicious.

(*The President.*) What is it he put forward as the ground for saying it was wanton and malicious.

5247. (*Mr. Murphy.*) What did you say was the ground upon which your house had been burnt. What was the reason you suggested for anybody burning your house?—I do not know. I do not know, my Lord.



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5247. Do you know Martin Murphy?—Yes ; I do.
5248. Does he live about half a mile from you?—He lives something about a mile. It is longer than a mile.
5249. Was his house burnt the same night?—Oh, I do not know anything about it. I heard next morning that it was burnt.
5250. Did you see the ruins of the house?—I saw it the next day.
5251. Did it look as if it had been burnt?—It was burnt.
5252. Have you any doubt it was burnt?
5253. (*Sir C. Russell.*) He says so?—I do not know anything about the man at all. (*Mr. Murphy.*) I must ask my friend not to interrupt. The witness hears as well as I do. It embarrasses me in examining a witness.
5254. Have you any doubt that Martin Murphy's house was burnt?—I do not know anything about the man's house. How could I know anything about another man's house that was some distance from me?
5255. Did you see the burnt ruins of Martin Murphy's house on the next day?—I saw it afterwards.
5256. Do you know whether he had paid his rent also?—I do not know nothing about it. There was no question of rent at that time at all.
5257. Did you tell the police your house was burnt because you paid your rent?—They come themselves in the morning.
5258. Did you tell the police your house was burnt because you paid your rent?—I did not. They came themselves early in the morning—on Sunday morning.
5259. Now, just be cautious. Did you tell the police your house was burnt because you paid your rent?—I did not.
5260. Did you tell them why it was burnt?—I told them when they came to the house that I did not know that, because myself and the Welches was not on good terms ; that I did not know. I put in money in the bank for him for three years before, and for four years after.
5261. Did you ever prosecute the Welches for burning your house?—I did not.
5262. Did you ever tell the police that you thought the Welches had anything to do with it?—I did not. I could not say that. I could not say that, your worship. If I knew who burnt it, I would not go and look for compensation.
5263. Were you at the chapel at Ballynakill on the 4th December, next Sunday, or a few Sundays after?—In the chapel at Ballynakill?
5264. Yes?—I do not think I was ever on a Sunday in it, because it is too far from me.
5265. After the burning of your house did you take a Land League ticket?—Well, I could not say that, sir.
5266. Did you ever take one?—I never took one, but a son of mine, who went to America, took one.
5267. For you?—It is not for me, but for himself.
5268. Was that after the burning of your house?—I am not sure, sir, whether it was before it or after it. I could not say. I could not tell what time it was.
5269. Will you swear that the ticket for the Land League was not taken by your son after your house was burnt?—Oh, dear, there was no talk of the Land League in our place.
5270. Will you swear that your son did not take a ticket of the Land League after your house was burnt?—I think it was before. I am on my oath. I could not say. I am after swearing ; I could not say.
5271. Did you give your statement to one of Mr. Soame's clerks, Mr. Beauchamp. Did he take down your evidence from you? Let Mr. Beauchamp come in?—I do not understand what you are asking.
5272. Did a gentleman ask what you knew about this case?—Which gentleman?
5273. Any gentleman?—No, your honour.
5274. Did that gentleman ask what you knew about this case (*Mr. Beauchamp stood forward*)?—I do not know.
5275. Look at him—this morning. Did you tell him what you knew about this case this morning?—What did I tell him? He asked me the same question as your worship, I think, was asking me.
5276. Did you tell him that you took a League card and paid for it?—I did not say



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it. I was at Loughrea one day and I got a card, and I did not know whether I paid for it or not. I was too much intoxicated.

5277. You did tell him that you had been in Loughrea and you had got a ticket, did you?—I got a ticket. I had a ticket next morning, but I did not know how I got it.

5278. Did you read it?—No. I could not read.

5279. Did you pay for it?—I do not know whether I did or not; but I had got it in my pocket the next morning.

5280. Did you tell him you did pay for it?—I did not.

5281. Will you swear that?—I do not know.

5282. Will you swear you did not tell that gentleman you paid for that ticket?—I do not know whether I did or not. As far as my understanding, I think that I did pay for it; but I had it on me, and I was at the meeting. Some day, it may be, it was brought me.

5283. Was it a Land League ticket?—I do not know what sort of a ticket. I never had anything to do with never a Land League ticket.

5284. Now I warn you that there was a shorthand writer present who took down the words that you used; and having told you that, once again I ask you, did you not say that it was a Land League ticket?—I can neither read nor write, and I do not know what was a Land League ticket no more than—

5285. Did you say it was a Land League card?—I do not know. I am on my oath, and I cannot remember what it was.

5286. This morning, you know?—This morning. I do not know that. You are the man.

5287. Did you say this morning it was a Land League card?—I cannot say.

5288. Did you say you had paid for it?—I say that I did not know how I got it, and sure I cannot. I should not get it if I did not pay for it, and I don't know whether I paid for it or not.

5289. Then you believe you did pay for it?—I cannot say.

5290. You believe you paid for it?—I cannot say.

5291. Where did you get it in Loughrea?—I do not know how did I get it; but I had it in my pocket, and one of my sons said it was a card.

5292. What sort of card?—From the like.

5293. Did you say from the League or from the like?—From the like—this is the card.

5294. From the like what? Did your son tell you it was from the League?—I cannot say.

5295. Do you think he did?—I cannot say.

5296. Where did you go to in Loughrea before you got this card?—Into a public-house at Mount Island.

5297. Is there a Land League branch at Loughrea?—I do not know anything about the branch. How do I know that.

5298. Did you ever hear of the Land League?—I did very often.

5299. Did you ever hear there was one at Loughrea?—A Land League?

5300. Yes?—I do not understand you at all.

5301. Were you at a meeting of a Land League at Loughrea?—I was at a meeting, and it was there the speeches at the window I was listening to.

5302. Was that a Land League meeting?—I do not know what sort of a meeting.

5303. Were they talking about the land?—They were talking that the times were very bad and the poor people would not be able to pay rent if they did not get a reduction and claimed for a reduction.

5304. Do you think that was a Land League meeting, or do you think it was not?—I do not know what sort of a meeting it was.

5305. What do you think? Was it a Land League meeting or not?—It appeared to me it was a distress meeting.

5306. A distress meeting about the land?—Yes.

5307. Did you tell this same gentleman this morning that you had been at one meeting of the League in the town of Loughrea?—I was at that meeting I told him.

5308. Did you tell him you had been at a Land League in Loughrea?—I did not speak of any Land League or anything; but I was at a meeting where the people were standing in the middle of the street.



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5309. (*The President.*) You are asked a question, and we will have an answer to it. Did you, or did you not, say to that gentleman that you had attended a Land League meeting at Loughrea?—I told him that I thought I was on the way of going to it, but I was in business, and I stood up talking to the crowd of people that was in it.

5310. You turn away from me when you give your answer. What is your answer to that question? Did you, or did you not, say that you had attended a Land League meeting? \*Answer that question, yes or no?—I told him. He asked me was I at any meeting, and I said I was not.

5311. You say Land League was not mentioned; is that what you assert?—Was I at any meeting, and I said I was at a crowd of people in Loughrea, in the street of houses standing in the middle of it, listening to them in the crowd.

5312. Do you mean by that that the words "Land League" were not used, and that you only spoke of a meeting?—Begad, I do not know that I said anything about a meeting. I know nothing. I told him I had not anything to do with any league or any other thing; that I know nothing about it. Is not that what I told you?

5313. I will put the question to you once more, and I caution you, be careful. Will you say, one way or the other, whether the meeting was spoken of as a Land League meeting between you and that gentleman who was examining you?—Well, my Lord, now you are going on very hard on a man of my age of 68 years, that I can remember all the things that were; that I do not really think it right. Sure, you ask me, but, sure, I was not on my oath at the time.

5314. And now you are?—I am now, for certain, and I would not like to do anything that would wrong my soul.

5315. And upon your oath then, which you say you respect, was the words "Land League" mentioned when you were being examined by that gentleman?—Well, I do not know anything like. It is not to a meeting I went, but I was in it, and I stand up in the middle of the street listening, and then I was not accustomed to the people. I walked away again and went home, and I got a card and I went in and had some drink, and I had some sort of a card in my pocket the next day and I showed it to the boys who had learning and they said it was a card of the like.

(*The President.*) Now I think I caught the word "League" in it.

5316. (*Mr. Murphy.*) After you got the subpoena in Galway where did you go. Did you come to Dublin?—I did not.

5317. Did you come direct here from Galway, or stop on the way?—I came home the very same night.

(*The President.*) Stand up, sir; do not lean on your elbow in that way.

5318. (*Mr. Murphy.*) Do you remember getting a subpoena to give evidence here, notice to attend here. Do you remember getting a notice to come and give evidence?—At this time I did, but someone got 5*l.* then.

5319. After you got that did you come to Galway or did you come here? Did you come to Dublin, or what?—I come from Loughrea to Woodland, and from Woodland to Ballinasloe, and from that to Mullingar, and from that into Dublin, and from that up to this.

5320. Did you stop in Dublin?—I did after coming out of the car. I stopped like at—

5321. Did you stay a night in Dublin?—I did not.

5322. When did you arrive here?—This morning. I left the house on Tuesday night at half-past three. I went about here and there.

(*The President.*) You put some questions as to what he had told the police.

(*Mr. Murphy.*) The witness is not here now.

(*The President.*) My object was that you might call the policeman.

(*Mr. Murphy.*) The witness is not here, unfortunately

(*The President.*) I only wished to give him another opportunity of stating what he did tell the police.

5323. What do you say you told the police about your house having been burnt?—The place is something about—

5324. It is what you told the police, I am asking?—The place is about a mile and a half, and they were there very early on Sunday morning, and then it was not long after, and the chief came there and some of his own police.

5325. That is not what I am asking you. I am now asking you what it was you told the police was the cause, as you imagined, of your house having been burnt, and



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I am asking you that because the policeman is going to be called to tell us what you did say, and I am now giving you an opportunity of making your statement?—My Lord, I could not remember what did I say to them. I could not remember what did I say to them.

5326. (*Mr. Justice Smith.*) What time to-day did you give evidence to that gentleman down there?—This morning.

5327. About what time? How long ago?—This morning. I do not know what hour. I had no time to know nor anything at all. I did not ask him what hour it was.

5328. This morning?—This morning.

5329. Where have you been to since you gave your evidence?—Here.

5330. Where?—Outside there. I stopped in it since.

5331. Who has been talking to you?—No one at all, but I suppose he is a policeman and another man Conway, and another man Bertram from the place that we were sitting there.

5332. Do you swear that since you gave your evidence to that gentleman this morning nobody has been talking to you about the evidence you were to give in Court?—There was a man; he was simply to show this house and to show us where we were to sit, and we sat there, and I went out and I was not any more than five minutes until I come in again.

(*Sir C. Russell.*) Will you Lordship ask whether there is not a room where these witnesses are sent to and kept until they are called?

(*The Attorney-General.*) No, my friend is wrong; there is not such a room. There are two rooms in which the statements of the witnesses are taken; but the witnesses are not kept in that room and cannot be. There are large numbers of them, and they see a great many other people.

(*The President.*) Do not you leave?

(*Sir C. Russell.*) I am instructed that, so far as those for whom I appear are concerned, we have not a single witness here, not one single witness except the parties who are in the Court as being persons who are charged; not one single witness. I think that ought to be followed up, if your Lordship will kindly do it.

(*The President.*) What!

(*Sir C. Russell.*) The suggestion I have made.

(*The President.*) I despair of getting anything from this witness. You may have it from somebody else.

(*Sir C. Russell.*) No, from this witness.

(*The President.*) The result of his examination is: he professes a stolidity that is invincible to me. You may follow it up. Get anything you can from him.

(*Sir C. Russell.*) I did not wish to appear to be re-examining on what Mr. Justice Smith suggested.

(*Mr. Justice Smith.*) I am not suggesting that anyone on your side has been talking to this witness, but it is quite clear to me he has made one statement this morning and another in the box. That is my impression.

(*Sir C. Russell.*) Of course there is no suggestion of it at present except my friend's suggestion in cross-examination. I should like to have the whole matter gone into. I will try my hand on this witness. I am not very hopeful, I agree.

#### Cross-examined by Sir C. RUSSELL.

5333. First of all, you live near Loughrea. You live about four miles from Loughrea?—Yes.

5334. And you have got some neighbours of the name of Welch?—Yes.

5335. And you say you have been in quarrels with them for a great many years?—I was with them, but we were not on good terms, we used to beat one another, and we were bound to the peace.

5336. When were you last bound over to the peace?—I do not understand you.

5337. When were you bound to the peace?—In Loughrea Court, Petty Sessions Court.

5338. When last?—Something about five years ago.

5339. Was that the last time?—That was the last time that we had beating and fighting.



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5340. You have not spoken to them since?—No.

5341. Now about the payment of your rent. When did you pay your rent?—I paid my rent when there was a settlement made on the property.

5342. When was that?—I could not tell you, sir.

5343. I want to get this from you, please. You know you say your house was burnt about the 26th of November 1881. How long before the house was burnt had you paid your rent?—I do not know, sir, I could not bear, I could not bring to bear how long.

5344. You can tell me this way. What time of the year are the rents paid?—At that time.

5345. Yes?—I thought it was the last rent you meant.

5346. No, I am not talking of the last rent?—Oh, then, I do not know, sir.

5347. What time of the year do you pay your rent?—It used to be on the 28th of October or a couple of days afterwards some years ago.

5348. Had you paid your rent a short time before your house was burnt?—It was paid some time. I do not know what length it was.

5349. You do not know how long before?—I do not.

5350. You had paid it some time before; had anybody complained to you or threatened you because you had paid your rent?—No one, ever; no man or woman ever. I never was threatened by anything of the sort, but a stepson I had; he thought to get the land, and he proffered to pay three years' rent if he got to be tenant and to be entitled to go in law with me.

5351. Your stepson?—Yes.

5352. So you had a dispute with him about the land?—I had no dispute, because he went from me when he was up to 21 years of age, and he went to law with me, but he got no law of me.

5353. He got no law of you?—No, I was the tenant.

5354. Was it on a Saturday night that your house was burnt?—Yes.

5355. And were the police there the next morning?—They came next morning to the house.

5356. Do you recollect who the police were; do you know their names?—I think one of them was Boylan.

5357. Was he a sergeant?—He was not.

5358. What was he, then?—But he acted as a sergeant; the full sergeant was down where Mrs. Dempsey's husband was shot, or something, and he was in care there, and he acted as a sergeant, and it was he came there.

5359. Had he another policeman with him?—He had.

5360. Just tell us what they said to you when you saw them on that Sunday morning. Just tell my Lord what the police said to you in your own way?—Well, that is a very hard question, sir. How can I remember what they said?

5361. Of course it is a good many years ago. Try and recollect what took place as well as you can tell us?—As well as I can, but I could not say what did they say. They wanted me, they told me something about, would I go for compensation.

5362. They asked you were you going for compensation?—Yes.

5363. You said of course that you were?—I said that I did not know nothing about the like, and then Mr. Barry come there after from Loughrea.

5364. Ah, I wanted to get about that. Who was Mr. Barry?—He was the chief of the police in Loughrea at the time.

5365. Chief of the police?—Yes.

5366. District inspector?—Yes.

5367. Is that the Barry we had before? Is that the man there at the corner of the box?—There is the man.

5368. How long was it after that Sunday that Barry came to you?—He was very early after, something, I think, between 12 and 1 o'clock or before.

5369. How long after that Sunday, was it on the Monday?—On Sunday it was. On Sunday he came himself and another policeman.

5370. On the same Sunday?—Yes.

5371. What did Barry say to you?—He examined the house, and I told him that I was very sorry indeed, and I did not know what I would do. He said, "Do you know how they were burnt?" I said, "I have had nothing to do with anyone," said I.

5372. He asked you, did you know how it was burnt?—Yes.



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[Continued.]

5373. And you said you did not know anyone on the head of it?—Yes; I cannot understand now the way that it was. I have no good memory; I have no learning.

5374. That is how you think it took place?—I have no learning and no memory of the way it was. Mr. Barry himself knows it, I think.

5375. Were you asked to put your mark to any paper, do you recollect?—I could not say.

5376. Did any attorney act for you, or did the police look after the claim?—They did not look after the claim until I applied for it.

5377. Did you employ anybody?—I did not; but I employed I think an attorney.

5378. That is what I am asking you. You employed an attorney?—Yes.

5379. Who was the attorney?—He was one Tye, from Ballinasloe. I think that was his name.

5380. Then you had to go before the Road Sessions?—I had to go just at the Special Sessions in Woodford.

5381. The Road Sessions at Woodford?—Yes.

5382. Had you to go before the grand jury afterwards or not?—I had.

5383. Now were you asked at the Road Sessions if you knew anything about how it was burnt?—I could not say, I am sure, whether I was.

5384. You could not say for sure that you were?—I did not pass any remarks on it. I thought it would never come round again that I would be so tried for it; if I did I would have minded better.

5385. What my Lords want to know is this. Did you say to anyone that your house was burnt because you had paid your rent?—Never, never. Never, as far as I can understand. I never heard there was any question of rent at the time.

#### Re-examined by the ATTORNEY-GENERAL.

5386. When you make a claim do you have to sign a paper, or put a mark to a paper. When you made your claim did you have to put your mark to a paper?—That I could not say.

5387. Did you have to swear. Do you remember taking the oath at the time the paper was shown to you. Do you remember, within three days after the fire, having to go before the magistrate?—I do, because —

5388. (*Sir C. Russell.*) Because what?—He came in to where I applied for the paper.

5389. (*The Attorney-General.*) Was that a clerk of the peace. Do you know his name—clerk of petty sessions; do you know his name?—It was not at the petty sessions at all, it was not. Mr. Toole's office in Loughrea I got the paper, and I think it was in it I met him.

5390. Within three days after the fire?—Yes.

5391. Did you have to swear to the truth of the story that was told in that paper?—I had, certainly I had.

5392. Did they read it out to you?—They did. They did not put anything in the paper but what I applied for.

5393. Do you remember what you said in the paper as to why your house was burnt down?—Begad I could not say, sir.

#### Mr. WILLIAM MASSEY BEAUCHAMP sworn; examined by Mr. MURPHY.

5394. Are you a solicitor practising at Limerick?—I am.

5395. And have you been acting for Mr. Soames in certain matters connected with this inquiry?—I have.

5396. Now first of all are you acquainted with what the practice is as to applying for compensation for malicious injuries?—Yes.

5397. What is the course of practice?—Within three days after the injury has been discovered you must go before a magistrate and swear an information. That information is bound to be returned to the clerk of the petty sessions in the district where the outrage is committed. Within six days from the outrage you serve a notice on two of the principal inhabitants of the parish, the district inspector of police, the secretary of the grand jury of the county, and the barony constable.



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[Continued.]

5398. Does the notice, or does it not, set out particulars of the extent of the outrage?—It states in general terms.

5399. The declaration, I mean?—The information. The information must state whether he has any knowledge of the person who committed the outrage.

(*The President.*) Will you be able to give us the papers?

5400. (*Mr. Murphy.*) It has come by surprise upon us. We shall be able to get them for your Lordship?—They are a matter of record, and must be in some office.

5401. (*Mr. Murphy.*) Did you yourself take or was a statement taken in your presence from the last witness this morning?—The shorthand writer was sitting here at a desk and the witness was sitting opposite him, and I was standing beside the witness. I examined the witness and the shorthand writer took down the notes.

5402. Did he say anything as to the circumstances under which this outrage was committed?—He said he was tenant on the Marble Hill estate, Lady Mary Burke's. They call it the Marble Hill. Some speak of it as Lady Mary Burke's and others Henry Burke's.

5403. The shorthand note is here of what was taken down?—Yes.

5404. Did you from that prepare the proof?—I asked him when making his claim before the grand jury for the burning, what malice he alleged against him, because malice is the foundation of the claim.

5405. What did he say?—He said he paid his rent. I asked him was he a member of the League, and he said he got a League card, and paid for it. I asked him if he ever attended a League meeting. He said he attended one at Loughrea.

5406. Do you remember his saying anything about a shot being fired?—Oh, yes.

(*Mr. Murphy.*) This is not so important, my Lord. I pass from that.

(*The President.*) I think you have called his attention to the important points.

#### Cross-examined by Sir C. RUSSELL.

5407. Was the evidence taken in the form of your putting questions to him?—Yes.

5408. And did the shorthand writer take a note of both question and answer?—No, the shorthand writer only takes a note of the question in the shape of a story.

5409. Then we have not got question and answer?—No.

5410. Not even on the shorthand note?—No, that would be wasting of the shorthand writer's time.

5411. Then whether the questions were leading questions or not will not appear from the note of the evidence?—No.

5412. Or whether the form of the questions suggested an answer would not appear?—No.

5413. Then, as I understand the note that is ultimately taken, is it taken by you or the shorthand writer?—Taken by the shorthand writer.

5414. Then it is the shorthand note taker who extracts from the notes taken in the way you mention his view of the result?—No. When I have asked a question from a witness I say, "On whose estate are you a tenant?" He would say, "The Marble." I should repeat, "I am a tenant on the Marble Hill estate."

5415. "Did you go to a meeting?" Answer, "Yes, I did"?—I asked him did he ever attend a Land League meeting. He says he did.

5416. Now I think I understand. Then we have not got the question, but merely the shorthand note-taker's view of what was the substance of the answer?—Of his evidence, the history, a direct statement.

#### Re-examined by the ATTORNEY-GENERAL.

5417. Now you have yourself given evidence of what you remember his saying to you in answer to Mr. Murphy's question?—Oh, I distinctly recollect his statement.

5418. Look at this statement. This is what Sir Charles properly calls the compendious result. "Witness lives within 5 miles of Loughrea. On November 26th, 1881, "his dwelling-house was set fire to and burnt to the ground, and at the same time a "shot was fired through the window. Witness had previously paid his rent. The "malice witness alleged when making his claim for compensation was that he had said "his rent for the Marble Hill estate belonging to Mr. Burke. Witness took a League "card and paid for it."



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WILLIAM MASSEY BEAUCHAMP.

[Continued.]

(*The President.*) That is the important point.

5419. (*The Attorney-General.*) "He was at one meeting of the League in the town of Loughrea. He claimed on the county 80*l.* and got it in full." Now I want to know from your own recollection, having heard that, is that a truthful précis or summary of the answers given by that witness?—Yes.

5420. (*Sir C. Russell.*) There is one question I should have liked to have asked this gentleman. I understood you to say you were conversant with the mode of proceeding in these claims for compensation?—I am.

5421. Have you had much to do with claims yourself?—I have.

5422. Have you found since 1879 the claimants who suggested agrarian causes for the injury to their property got the notion into their heads that claims of that nature were more favoured than others?—No.

5423. You have not?—No.

5424. Were they treated more liberally by the road sessions, and by the grand juries?—It always depended on the evidence that you produced as regards the value of the property that was destroyed. Then the grand jury would assess the compensation.

5425. (*The Attorney-General.*) In these cases do they have to go before the road sessions?—First.

5426. Are some of these road sessions elected, some members are elected?—Some of the magistrates, and a certain number of ratepayers, are summoned to attend, and the secretary of the grand jury ballots for them.

5427. And are the majority of the people who attend farmers, the elected members?

(*Sir C. Russell.*) There are none of them elected at all.

(*Mr. Atkinson.*) Selected.

5428. (*The Attorney-General.*) Are the majority of those who are there farmers?—They are.

5429. What I want to know is, do you say, from your experience, that before that tribunal (whatever it should be called, the road sessions or otherwise) the agrarian claims are more favourably received or not?—Before that sessions, no; because then there is an appeal to the grand jury.

5430. (*Sir C. Russell.*) Is it your experience that the grand jury have frequently increased the amounts awarded by the road sessions?—Decidedly.

5431. (*The Attorney-General.*) Sometimes decrease them?—In some cases where questions of value arose.

5432. (*Sir C. Russell.*) Agrarian cases?—I cannot exactly state a case from my memory where it was exactly agrarian, but there are cases where the sum has decreased.

HENRY GORDON HOLDERNESS sworn; examined by the ATTORNEY-GENERAL.

5433. You are a shorthand writer?—I am.

5434. Have you been employed on behalf of Mr. Soames in taking down the statements of witnesses that have been examined by Mr. Beauchamp or anyone whose statements you were required to take?—I have.

5435. Did you this morning take down the notes of the evidence of the last witness?—I did.

5436. Did you afterwards transcribe it?—I did.

5437. Is that your own handwriting?—Yes.

5438. Is that a correct transcript?

Cross-examined by Sir C. RUSSELL.

5439. Just read out your transcript?—From my book?

5440. From your shorthand note?—"County Galway. Firing into and setting fire to house of Tom Connair. Witness lives within five miles of Loughrea. On November 22nd, 1881, his dwelling-house was set fire to and burnt to the ground, and at the same time a shot was fired through the window. Witness had previously paid his rent. The malice witness alleged when making his claim for compensation was that he paid his rent of the Marble Hill estate belonging to Mr. Burke. Witness took a League card and paid for it. He was at one meeting of the League at the town of Loughrea. Witness claimed on the county 80*l.* and got the amount in full."



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HENRY GORDON HOLDERNESS.

[Continued.]

(*The Attorney-General.*) According to my recollection that is verbatim.

(*Sir C. Russell.*) I think it is.

(*The President.*) You intend to follow up the other part of what was said to the police?

(*The Attorney-General.*) Yes.

(*The President.*) Here is a very distinct contradiction, and I should like to know what comes of the other part.

(*The Attorney-General.*) We have already endeavoured to see whether the police officers who happen to be here on this occasion were ready, but it was found the officers who took the statement are not here at the present moment. It shall not be lost sight of.

(*The President.*) Do not let that witness leave until it has been followed up.

(*The Attorney-General.*) Perhaps Sir Charles Russell will take care of him. I think perhaps your Lordship had better say to the witness he must not leave at present.

(*The President.*) I did not mean to cast an additional burden upon you.

DOMINICK BARRY recalled; further examined by Mr. MURPHY.

5441. Did you visit the dwelling-house of Connair the day after the house had been burnt?—Yes, and investigated the circumstances.

5442. I do not know if you have been in Court when this inquiry was made as to what occurred. Did you hear any conversation, or have any conversation with Connair as to the cause of this outrage?—Yes.

5443. Tell the Court what it was?—My impression is that the motive he assigned upon that occasion was that he had paid his rent. I cannot go beyond that in the absence of any reference to the official report which I made at the time, and to which I have no access now.

5444. You can get that?—Yes. It is clearly stated in it.

5445. The same night was the house of another man, Martin Murphy, burnt?—Yes.

5446. Is he in the county now or not, do you know?—I am not aware. I have not heard of him since. I have not been in that locality for the last five years.

5447. Have you got any threatening notices with reference to this matter?—No. I left all on leaving Loughrea; I left them behind.

WILLIAM CONWAY sworn; examined by Mr. RONAN.

5448. Do you live in the Woodford district, on Sir Henry Burke's property?—Yes.

5449. Do you remember when Sir Henry Burke was boycotted in the year 1886?—I do.

5450. Did you go and cut some turf on Sir Henry Burke's bog?—I did.

5451. Do you remember the night of the 15th May 1886?—I recollect it.

5452. What happened to your house that night?—It was burned.

5453. Was it burned to the ground?—Indeed it was, just the wall.

5454. Had you some pigs and cattle and stock and things in the house?—There were a couple of pigs, and I had four other little animals. I keep goats.

5455. Had you any dispute with anyone of your neighbours; did you give anyone any cause to injure you?—Well, I could not know them.

5456. Except that you cut this turf?—That is what I blame it for. It may be done otherwise, but I blame it for that solely. I blame it for it, and another man might prove, or 20 men, that if the turf was not cut at all, that it may be done. I could not prove nor swear that, but I swear that I blame it for it.

5457. Did you make a claim on the county for it?—Yes.

5458. And when you made the claim on the county before the grand jury did you put it down to cutting the turf; what motive did you allege for it?

(*Sir C. Russell.*) That does not improve his impression.

(*The President.*) I asked in the other case what was done at the time, and if there is any difficulty in this case you must be prepared with what documents there are.

(*Mr. Ronan.*) There are no documents.

(*The President.*) I understood by your holding up a paper that you had got it.



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WILLIAM CONWAY.

[Continued.]

5459. (*Mr. Ronan.*) No; this is only a note of the witness's evidence. There is no paper of any proceedings before the grand jury. (*Q.*) Did you get compensation from the grand jury?—Well, I got some.

Cross-examined by Sir C. RUSSELL.

5460. What did you get?—Fifty pounds and 5*l.* expenses, but then it was about 10*l.* my expenses, and I only get 5*l.*

5461. I do not quite understand about this turf cutting; whose bog was it you were cutting upon?—Sir Henry Burke's, Baronet's, bog.

5462. And were you cutting the turf for yourself or anybody else?—I was cutting for him, and there were 18 or 20 men cutting the day before me. And then I went the next day, and there were about the same number of men on the second day, and the third night after the police found my house burned at 2 o'clock in the morning.

5463. I understand there were some 20 men cutting the turf the first day?—I think 19 or 20 men, I could not exactly say as to numbers.

5464. And 19 or 20 the second day?—Indeed, there were.

5465. And were you the only man whose house was burned?—I was the man whose house was burned.

Re-examined by the ATTORNEY-GENERAL.

5466. How long had Sir Henry Burke been boycotted at the time you cut his turf?—I did not know of his being boycotted at any time, any more than the people saying he was boycotted. As long as he got his work done I could not swear he was boycotted.

5467. (*The President.*) Who were these 19 men cutting turf for?—I could not tell you who they were. They were from parts of the property.

5468. Were they cutting turf for Sir Henry Burke?—Yes.

5469. Then you do know. Why did you say you did not know?—

(*Sir C. Russell.*) Your Lordship asked who they were.

(*The President.*) I asked him for whom they were cutting, and his answer was they were cutting for Sir Henry Burke.

(*The Witness.*) They were cutting for him.

5470. (*Sir C. Russell.*) This is suggested to me. I do not know whether there is any ground for it or not. Was there any dispute between the tenants of Sir Henry Burke as to whether the tenants had not the right to cut the turf?—That was the rule.

5471. Just tell me first?—That was the rule on that property in this bog. The tenants to go and have a day; cutting his turf for three days, for each person, because they could cut their own turf, and when they gave him a day's cutting they could take up a ticket on the next day from the bog ranger and cut it; and they would get paid for those days that they were working at that; and that day the bailiff put up a notice on the chapel tree, and it specified that no person was to enter the bog to cut that turf until Sir Henry's would be cut. No one to enter the bog to cut their own turf until Sir Henry's turf was cut.

5472. A notice was put up to that effect?—By the under-agent.

5473. And did the people complain of that?—They did not like.

5474. They did not like that?—They did not like that. They were saying that they would all go in again and cut and take up their bit the next day because the turf is five miles away, some of it six miles, and if they did not cut early they would not get the turf, and they would rather go and cut the turf than be without it.

5475. Why was it they had to cut their turf early. Was it because it could not be dried?—If it was not cut early it would not be right, and even if it was cut early it would not be dried.

5476. And what they were saying was that they ought to have a right to cut their own turf because they could dry it?—Yes, to cut early when they cut. That they were going to cut their own.

5477. Whereas the notice was, no turf to be cut by anyone until Sir Henry Burke's turf was cut?—That is what was specified.

5478. (*The Attorney-General.*) Had anything been said about Sir Henry Burke, that you remember, before your cutting for him?—All I could know about it was, that



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WILLIAM CONWAY.

[Continued.]

after the cutting of the turf there were a few of the names read out at the Chapel Cross, of the names of those that went to work to cut the turf.

5479. Of those who had cut turf for Sir Henry Burke?—Yes.

5480. Was yours one of those read out?—My name was read out then. I could not know what happened after that. I was very queer with my teeth. I had a handkerchief on them and did not stop but went away.

(PATRICK KELLY, Interpreter, was sworn.)

MATTIE LYDEN sworn; examined by Mr. ATKINSON.

5480a. You understand some English?—I do not understand much, sir.

5481. What was your husband's name?—John Lyden.

5482. What was your husband's business?—He was herd for Mr. Graham.

5483. And did he live near Letterfrack, in county Galway?—He did, indeed, near Letterfrack church.

5484. Do you know a man of the name of Welsh, a tenant of Mr. Graham?—I do know him.

5485. Do you know him well?—Yes.

5486. Did Mr. Graham take up Welsh's farm from him?—He did, sir.

5487. In the year 1876?—I do not know the year, but we were herding there a bit for him before that.

5488. After Welsh gave up the farm, was your husband herding the farm for Mr. Graham?—My husband was looking after it.

5489. Had you a son also?—I had, indeed, sir.

5490. What was his name?—Martin Lyden.

5491. Was he living with you?—He was, and working every day.

5492. Up to the month of April 1881, was your husband on good terms with his neighbours?—Indeed he was.

5493. Do you remember the time the Land League was established at Letterfrack?—I did hear about it.

5494. Did you attend any of the meetings yourself?—I did not see any, I did not indeed, nor any of my people either.

5495. How long was this before April 1881; what day was your husband murdered; do you remember the date your husband was murdered?—I know well.

5496. How long before that did they talk about the Land League—the people about?—They were talking a good while before that of the Land League, they were indeed, sir.

5497. Do you remember on the 24th April 1881 any persons coming to your house?—Yes, I recollect their coming.

5498. Did they come at night time?—They did in the night.

5499. What time at night was it. Was it early in the night that these persons came to your house?—It was a good while that the night had passed.

5500. How many persons came?—I could not say, but there were a good many. I saw them out in the street. I do not know how many there were.

5501. Had they any disguises on their faces?—I think so. I do not know it.

5502. Did they get into your house?—They broke in the door.

5503. Where was your husband at that time?—He was sleeping in the bed at the end of the room. He was sleeping when they came in.

5504. And where was your son?—He was lying along with the father.

5505. What age was your husband?—I do not know sir. I heard him say he was 40 years.

5506. And what age was your son?—One and twenty years.

5507. Did you see what they did to your husband?—They brought him out and took him into the street.

5508. Did they take him out of bed?—They did.

5509. How did they take him out, drag him out?—They dragged him out.

5510. Out of the house?—Down from the room, out through the kitchen and out at the door.

5511. When they got him out what did they do with him?—They killed him.

5512. How did they kill him?—Killed him with guns and with pistols. I think they had both of them.



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MATTIE LYDEN.

[Continued.]

5513. Was he killed dead on the spot?—He was killed on the spot.

5514. After that what did they do?—They came and brought out the little boy.

5515. After they had killed your husband what did they do to your son?—They came and brought out the little boy again.

5516. Did they drag him out?—They dragged him out, and he was screeching and calling till they brought him to the kitchen door, and they said that he had to go out.

5517. Did they bring him out?—They did, dragging him. He was screeching while they were dragging him out.

5518. Do you know what they did to him when they got him out?—They fired at him, and I thought he was killed, but after all he was not.

5519. How soon did he die after that?—Indeed, he was ill all the time he was living. He would not stir his hand, and he was ill a month.

5520. He died in a month afterwards?—Yes.

5521. From the wounds that he got that night?—Yes; I stood at the bed, and he could not do anything.

5522. Do you know any of the men that came to your house?—No. The night was middling dark, but I saw them out in the street. I did not know who they were.

5523. Did you know where Welsh, the former tenant, lived?—Yes; he was living at Letterfrack at the time.

5524. Did he go to America, do you know, or had he been to America before that?—He went to America before that? No, he did not.

#### Cross-examined by Sir C. RUSSELL.

5525. Mrs. Lyden, whereabouts in Letterfrack was your husband's cottage; was it at the cross roads or near the cross roads?—At Letterfrack?

5526. Aye?—It was near the cross roads, yes.

5527. There is no village there. When you talked of the street, you meant the public road?—There is a village at Letterfrack. There are houses in it.

5528. When you talked of the street, did you mean the road opposite your cottage?—My house, sir?

5529. Yes; opposite your house?—My house was about half-a-mile up from Letterfrack.

5530. There are no houses near you, I mean?—No, there were not. I was up a good deal in the mountains for the landlord, sir.

5531. You have not told us, and you have not been asked, that the land out of which Welsh was evicted was Graham's land?—It was Mr. Graham's land, but they had it a while on.

5532. And Welsh, the man who was evicted, had he a son?—He had some sons, three sons.

5533. Was one of his sons tried for the murder of your husband?—Yes, there was one of them transported for the murder of the sergeant, and another one transported for my son.

5534. Was he hanged or transported?—One of them was hanged and another one transported for ever, for the murder of Sergeant Kavanagh. They killed him.

5535. You say these men who came in this brutal way to your house on that night wore disguises; had they blackened faces, or anything of that kind?—I did not see anything of that.

5536. Were any of them, as far as your yourself saw from your own neighbourhood, or were they strangers to you?—There were my neighbours.

5537. You did not know them?—No, I did not know them.

5538. But you think they were your neighbours?—They were. Another man said they were in this murder, and he knows every one of them. The herd is coming here to-morrow, Jemmy Mannion.

5539. He is coming in to-morrow?—I heard it, sir; he knows every one of them.

5540. When was the other Welsh tried for the constable's death?—I think it was one day when we were in Dublin.

5541. About what time?—About the same time. The trials were not ready until they killed the sergeant.



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MATTIE LYDEN.

[Continued.]

## Re-examined by The ATTORNEY-GENERAL.

5542. Had one of the Welsh's, who was hanged, a widow, do you know; did he leave a widow?—She was a widow.

5543. The man who was hanged was married, and left a widow behind him?—No, sir, that was the son.

5544. I want to understand. The Welsh's who were hanged were the sons of the widow, Mrs. Welsh?—He was not married at all—the young man.

5545. The young man was not married?—No: a young boy.

(The President.) The mother was a widow.

(The Attorney-General.) The mother was a widow.

(The Witness.) Her husband died. That boy that was hanged he was not married.

5546. (Sir C. Russell.) He was the son of the widow of an evicted tenant?—Yes.

(The Attorney-General.) Your lordship will hear afterwards of this widow Welsh. I only want to identify the person; your lordship will find that the evidence is that this was the widow Welsh for whom the fund was got up.

## MICHAEL BUTLER sworn, examined by Mr. ATKINSON.

5547. Are you head constable of the Irish constabulary?—Yes.

5548. Were you stationed at Letterfrack?—I was stationed there.

5549. Is that near where these people, the Lydens, live?—Yes.

5550. Where?—Moyard, near Letterfrack.

5551. Now was there a Mrs. Welch living in Letterfrack?—Yes.

5552. Was she the mother of these men that were subsequently executed?—She is.

5553. Was she a widow woman?—She was.

5554. When had her husband died, do you know?—I do not know.

5555. How long had you been there before this murder occurred?—Only three months.

5556. Where was Mrs. Welch living?—In part of Letterfrack.

5557. This man who was subsequently executed, was he living with his mother?—Yes, he was.

5558. There was a second of the Welch's—was he prosecuted?—Yes, he was.

5559. And sent to penal servitude?—Yes.

5560. For what?—For being one of the party who killed Sergeant Kavanagh.

5561. Did you know Sergeant Kavanagh?—Yes.

5562. Was Kavanagh engaged in working up evidence in the Lyden case?—Yes.

5563. Was it while he was working up the evidence that he was shot?—Yes.

5564. Where was he shot?—In the village of Letterfrack on the cross, about 40 yards from the barrack door.

5565. In the day?—Half-past 10 at night.

5566. How many men were made amenable for his murder?—Only one.

5567. This man Welch?—Yes.

5568. Did you see numbers of the people frequenting this house of Mrs. Welch before this murder?—No, I had no knowledge of Letterfrack. My sole knowledge was taken up with the Rev. Canon Fleming.

5569. Did you know whether either of these young Welch's were members of the Land League?—I cannot swear.

5570. Was it you who arrested the Welch's?—I arrested one of them.

5571. Where did you arrest him?—In the village of Letterfrack, but I was not certain; Sergeant Kavanagh arrested the first Welch.

## Cross-examined by Sir C. RUSSELL.

5572. What part of the country are you from?—From Kilkenny.

5573. Have you been stationed in Kilkenny as a policeman?—I am a native of it.

5574. Have you served as a police officer there?—No.

5575. Where have you been stationed?—In Newtown, County Limerick.

5576. Where else?—County Galway.

5577. How long were you in Letterfrack?—About four or five months.

5578. When did you come to County Galway first?—October 1880.

5579. And you came from Letterfrack?—Oh! no, from Tipperary.

5580. You have been in Tipperary, in Limerick, and in Galway?—Yes.



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MICHAEL BUTLER.

[Continued.]

5581. Have you been in service in other parts of Ireland?—Yes, in King's County.  
 5582. Is that since 1879?—February 1879.  
 5583. What county have you been in since 1879?—Cork and Mayo.  
 5584. And Tipperary also?—Yes.  
 5585. Cork, Mayo, Tipperary, and Galway?—Yes, and King's County.  
 5586. Were you there before 1879?—I am at present in Limerick.  
 5587. You can tell me this, in all these counties that you have been are there Land League branches?—Yes.  
 5588. And in later dates National League branches?—Yes.  
 5589. Is there in fact a parish or village in which there have not been branches of the League and afterwards of the National League?—I have no personal knowledge of it, I do not know; there may be.  
 5590. Could you name any one where there is not?—I could not.  
 5591. Where there is not a branch of the National League?—Or where there had not been a branch of the Land League when the Land League was up to the time of the Land League's suppression. I could not name one place.  
 5592. You mean they are common all over the county?—Yes.  
 5593. You have spoken of Kilkenny as being your native county?—Yes.  
 5594. Is the same thing true of your native county Kilkenny?—I was not there for the last seven years.  
 5595. But you visit your old friends, I suppose?—Yes.  
 5596. Were there Land League branches and afterwards National League branches the same as in the other county?—I understood so.

Re-examined by Mr. ATKINSON.

5597. In this particular place, Letterfract, was there a Land League branch there?—I heard there was.  
 5598. After the execution of Welsh, did you see any Land League meetings in that district?—No, I had no opportunity of mixing among them.  
 (Mr. Atkinson.) We have another witness in this case, but he is not here, and we shall not be able to produce him to day.  
 (Mr. Reid.) May I ask a question upon a matter he was asked in re-examination by Mr. Atkinson?

Cross-examined by Mr. REID.

5599. You said after the execution of Welsh that there had been no Land League meetings in your district?—I was not aware. I said I only heard it.  
 5600. Can you give me the date of the execution of Welsh?—It was some time in September 1882.  
 5601. That was a considerable time after the Land League had been suppressed?—I cannot say.  
 5602. Do not you remember the Land League being suppressed in October 1881?—I have no personal knowledge of it.  
 5603. You have not given us the date of Sergeant Kavanagh's death?—The 15th February 1882.  
 5604. You are speaking of your own knowledge merely. Are you aware of any meeting in that district between the date of the suppression of the Land League in October 1881 and the execution of Welsh?—I am not aware.  
 5605. You are not aware of any meeting?—No, I was never at a meeting.

PATRICK SMALL sworn; examined by Mr. RONAN.

5606. Do you know the farm on Mr. Wade's property?—I do.  
 5607. That Tom Byrne was evicted from?—I do.  
 5608. Was that near Aughrum?—Within a quarter of a mile of it.  
 5609. Did you take that farm after the other man was put out?—Not for six months.  
 5610. And then you took it?—I did, from October till April; from April to October.



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PATRICK SMALL.

[Continued.]

(*Sir C. Russell.*) Who is the man who was evicted?

5611. (*Mr. Ronan.*) A man named Thomas Byrne was evicted from a farm on Wade's estate, and the witness took it. Now, do you remember a short time after you took the farm going to a fair?—I do.

5612. Where was the fair?—In Coppataggle.

5613. When you were going to the fair to try to sell your cattle, did anyone follow you?—It was buying cattle.

5614. Did anyone follow you?—Michael Byrne and his son came up. I was buying there myself, young Byrne came up, and he said —

5615. What Byrne was that?—He was the son of the man and he said he would give more than I would.

5616. When you wanted to buy the cattle, he said he would give more than you would?—He came up to every beast I was buying, and he said he would give more than I would, and told them I was a boycotted man.

(*The President.*) I did not catch all he said, but I think he said he told them he was a boycotted man.

5617. (*Mr. Ronan.*) Was Byrne fined for that?—He was; he was sent to Galway for two months.

5618. After he was fined were you boycotted yourself?—I was continually.

5619. Where used you to get your horses shod?—I used to get them shod half a mile away.

5620. After that time where did you get them shod?—By John Curley, the blacksmith, at Aughrum.

5621. Did he refuse to shoe your horses?—Yes, he did, and said he would not have the country upon him for the sake of my custom.

5622. What?—He said he would not put the country against him for my custom. He said he had a threatening letter not to work for me.

5623. He said he got letters?—Curley himself the blacksmith and his brother said they were not to work for me at their shop, and they had a public-house too.

5624. What do you say about the shop?—I was not to go to the shop.

5625. Did you know a man named Thomas Byrne of Galoway; did he come and talk to you about the farm?—He was the man that occupied before me; no, he never did.

5626. Do you remember the time of the meeting of the League in Aughrum in December 1886; do you remember when that happened; I do.

5627. After that, did you get police protection?—I did.

5628. How long had you police protection?—It was patrol protection.

5629. How long did that last?—It is lasting still.

5630. You are holding the farm?—I am and will.

5631. Are you a Catholic?—I am a Roman Catholic bred and born.

5632. When were you at mass last?—Last Christmas twelve months.

5633. Why do not you go?—They called me names, and cautioned me, and groaned at me when I was on my knees and my children.

5634. When you were on your knees?—When I was on my knees at the chapel while at the service, and small stones were thrown at me and hit the wall.

5635. Did the rest of your family go to the chapel?—Only three of them; my wife goes and one of the sons.

#### Cross-examined by Sir C. RUSSELL.

5636. How many acres had you of your own before you got Tom Byrne's farm?—I have over 20, but I have a farm from Mr. Wade.

5637. Was that Tom Byrne's farm?—No, I had 40 acres before that.

5638. Then you had 16 of your own?—22 of my own, but not under Mr. Wade.

5639. 40 acres under Mr. Wade?—40 acres under Mr. Wade.

5640. What was the extent of Byrne's farm?—Mr. Wade, it was something short of 8 acres.

5641. When was Byrne evicted?—In the year 1846.

5642. Do you say 1846?—I think that; I kept no date.

5643. Well, well?—I took in 1846, the 11th October; it was before that.

5644. You mean 1886, I suppose?—1886, I think.

5645. That is only a difference of 40 years. Then Tom Byrne was evicted in 1886—Exactly. I think so.



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PATRICK SMALL.

[Continued.]

5646. Had Tom Byrne a family?—He had a family of course.

5647. How long had he lived under Wade in this farm of 7 acres?—He never lived at it. He lived in Aughrum.

5648. How long had he possession of it?—Three and a half years. I had it myself before that two years before and paid for it, but he never paid for it.

5649. Now after you took possession of the land out of which Byrne had been turned his son used to follow you in the fair?—He did.

5650. And outbid you for the beasts?—He would outbid me for the beasts, and at last he said I was boycotted in a public fair.

5651. When was it that took place first? When did you get possession of the farm?—I got it on the 11th October.

5652. 1886?—1886. He was put out in April before that for nonpayment of rent.

5653. And for following you in the market, and for saying you were boycotted he was sent to gaol for two months?—Yes.

5654. Was not that enough for him, do you think?—His father would have got three months, only he was too old—he was fined 3*l*.

5655. What age was the father?—Oh, nearly as old as myself.

5657. Well, what age are you?—If I live till March I will be 70. I was born in the year 1819.

5658. What is Tom Byrne doing now?—He has a place there; and he has a cow. Mrs. Wade told him if he gave up the land without any law she would give him the price of a cow.

5659. You were not there, you did not hear Mrs. Wade say that?—She told me herself.

5660. Mrs. Wade?—Yes.

5661. What meeting was this you speak of—when was the meeting?—It was the 19th December.

5662. Where?—I was not there.

5663. I am not asking you that—where?—In Aughrim. I was not there. I heard from her.

5664. Do you know who were there?—I do not know. I heard say Matthew Harris, a fellow of the name of Byrne, and a fellow of the name of Lyon, and several other persons made speeches.

5665. How about this police protection? What is this police protection in your case, I do not understand it. Do you have a policeman in the house?—Occasionally, but they are about me.

5666. Do you mean to say they walk round your place and pay you occasional visits?—That is what they do.

5667. We are all under police protection then?—My son can corroborate every word I say if you require him; he is there.

(*Mr. Murphy.*) We shall give evidence amongst the speeches that this witness was denounced by name on the 19th of September 1886. You can stand down.

(*The Witness.*) They have not half my evidence.

PATRICK SMALL, junior, sworn; examined by Mr. RONAN.

5668. You are the son of the last witness?—Yes.

5669. You remember, after this meeting in Aughrim, was your father boycotted?—Yes.

5670. Did you go to mass after that?—Yes.

5671. What was done?—I used to be groaned and hooted at.

5672. Were you with your father when anything was done to him?—No.

5673. Used you to buy cattle?—Yes.

5674. What used to happen to you there?—Any person that would know me would not sell to me.

5675. Up to the time you took that farm were you on good terms with all neighbours?—Yes, good terms.

5676. No difficulty in dealing at a fair?—No, not a bit.

5677. You used to go to mass like everybody else?—Yes.

(*Sir C. Russell.*) I do not ask him anything.

The Court adjourned until to-morrow morning at half-past 10.







“*Uncorrected Proof.*”

SPECIAL COMMISSION ACT, 1888.

ROYAL COURTS OF JUSTICE,  
PROBATE COURT No. 1,  
Friday, 9th November 1888.

MICHAEL JOYCE sworn; examined by Mr. ATKINSON.

5678. What is your name?—Michael Joyce.  
5679. What are you?—I am a farmer.  
5680. Where do you live?—Near Oranmore.  
5681. County Galway?—Yes.  
5682. Do you know a man of the name of John Cusack?—I do.  
5683. Had he a farm near yours?—He had, sir.  
5684. At a place called Oranbey?—Yes.  
5685. Was he evicted from the farm?—No; but he surrendered it voluntarily.  
5686. Surrendered it?—Yes.  
5687. Who was the landlord?—Mr. Walter Stanhurst.  
5688. When did he surrender?—In May 1880. I may not be correct, but I think it was in May 1880 he surrendered. I took it in July.  
5689. Did you take it?—I did, in July afterwards.  
5690. July 1880?—1880.  
5691. Did you stock it?—I did.  
5692. Now up to the time you took that farm, were you on good terms with your neighbours?—I was.  
5693. At the time you took that farm, was there any Land League established at Oranmore?—No.  
5694. Was there one in Athenry?—I heard there was.  
5695. You did not attend it yourself?—No, indeed.  
5696. After you stocked the farm, was anything done to your cattle?—Yes.  
5697. What was done to them?—There were 16 of my sheep killed, and they were altogether mutilated, and six head of cattle belonging to me.  
5698. When did that occur?—The 8th August, the same year, the same time.  
5699. Were any more of your cattle injured after that?—No.  
5700. Now, did you surrender the farm then?—Oh, I gave it up at once.  
5701. Immediately after this time?—Immediately after.  
5702. When you gave it up was anything done to your injury on your other farm?—No, not since.  
5703. Have you been at peace since you gave it up?—Well, I have.  
5704. Was a branch of the Land League subsequently established at Oranmore?—Yes; not at Oranmore, but in the next parish. It included Oranmore, I believe.  
5705. Did you join that?—I did.  
(Mr. Atkinson.) I may mention for your Lordships' convenience, when the speeches come to be proved, we shall prove that there was a meeting at Athenry a short time before this occurrence.  
(Mr. Lockwood.) At Athenry?  
(Mr. Atkinson.) Yes.

Cross-examined by Mr. LOCKWOOD.

5706. This farm you are speaking of is at Oranmore?—Yes.  
5707. What was the name of the man who had surrendered this farm?—John Cusack.  
5708. How long did you say you had been in occupation of it when these outrages on your cattle were committed?—About a month altogether. I took it in July.



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MICHAEL JOYCE.

[Continued.]

5709. And then you say this occurred in August 1880?—On the 8th August.

5710. 8th August 1880?—Yes.

5711. Do you know who did it?—Oh, no, sir, I do not.

5712. You were asked by my learned friend as to whether a branch of the Land League was established at Oranmore. Do you know how long after August 1880 it was before there was a branch of the Land League at Oranmore?—No, I could not exactly say, but I think it happened in the same year, about November. I could not say it was November, for I am not exactly sure.

5713. Or perhaps December?—I could not say.

5714. I take it, as far as your recollection goes, it was about the end of the year?—I think so.

5715. Before you took this farm in July 1880, had you lived in the neighbourhood?—Yes, sir. Under the same landlord.

5716. For how long?—For a term of years.

5717. Had times been very bad for you tenants?—Yes.

5718. I believe they were very bad in 1879, were they not?—They were. Prices brought the people down very low.

5719. Prices were sinking and crops were very poor, were they not?—Yes.

5720. When did it begin first—according to your recollection—when did the fall in prices commence?—I recollect, I think, 1879 was as bad as any year.

5721. Would that be about the harvest time in 1879 that you began to feel it worst?—Well, I do not really recollect; the years passing by, I took no notice.

5722. Well, I dare say you can remember 1879 as being an extremely bad year?—A very bad year.

5723. Were there a good many evictions round about you?—Not many.

5724. When did they begin?—There is not many from the first to the last. The landlords have been more considerate, they were not disposed to turn them out while they were in very poor circumstances.

5725. Who was your landlord?—Mr. Walter Stanhurst, a North of Ireland man.

5726. Just to go back to what I was asking you, as to these bad times. You remember 1879—was 1880 a bad time too?—I have no recollection.

5727. How long had the man who had preceded you in this farm been in occupation of it—Cusack?—I could not exactly tell you.

5728. Can you give me no idea?—I was buying the farm before ever Cusack got it, and I bid for the farm and Cusack outbid me for the farm, and I could not tell you how many years he kept it afterwards.

5729. You and Cusack had been bidding for the farm before?—Oh, yes, years before this happened.

5730. How many years before?—I could not tell you.

5731. And he outbid you?—Yes. I bid 28*l.* and he got it for 30*l.*

5732. What terms were you on with Cusack—on good terms?—Yes, always on good terms.

5733. Up to the time he left the farm?—Yes, and he is still living at the place.

5734. I am putting it up to the time he left the farm. Do you say he continued on good terms?—I never had much to say to him.

5735. Not after that?—Not since then, I never spoke to him.

5736. You used to speak to him before that, I suppose?—Seldom.

5737. But never since?—No.

Re-examined by Mr. ATKINSON.

5738. How far is Athenry from Oranmore?—About seven miles it would be.

5739. Do you say there have been no evictions in that district up to this time?—I do not recollect any in our parish—they were reinstated though.

5740. Afterwards?—Yes.

5741. At some subsequent eviction?—Yes.

(*Sir C. Russell.*) No, no, no.

5742. (*Mr. Atkinson.*) Up to the time of this occurrence had there been any eviction in your parish?—I do not recollect. I took no notice of it. I never recollect it.



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MRS. CAROLINE JOHANNA BLAKE.

MRS. CAROLINE JOHANNA BLAKE, sworn ; examined by Mr. MURPHY.

5743. Do you live at Renoyle, in the county of Galway?—Yes.

5744. What part of the county is that in—which side?—It is in Connemara.

5745. Did you in 1872 become guardian of your son?—Yes.

5746. Who was the owner of the estate?—Yes.

5747. Towards the end of 1879 was there difficulty with some of the tenants as to the payment of rent?—There was difficulty from the beginning of the agitation—none before.

5748. On what terms were you with the tenants?—The very best terms.

5749. How long had your family had property in that county?—Oh, I suppose more than 200 years.

5750. At that part did the tenants all come openly to pay their rents, or how?—Before the agitation the tenants came openly, willingly, to pay their rent.

5751. And afterwards?—When the agitation began they refused to pay unless there was a reduction, and they came round the house in a number and said they would be killed if they paid, and would I support their children if they were killed; they had the rent but they dare not pay it. I went out to them and I told them I would give no reduction demanded in that way; but I would consider every case on its merits, and I would give them according to what I thought right, but I could give no reduction demanded in that way.

5752. After that did some of them come to you?—They came, some of them secretly. On one occasion an old man came with a little boy; and the little boy had the money in his sleeve, and it was taken out of the sleeve—it was 5*l.* or 6*l.*, I forget which now. It was taken out of the sleeve and he paid his rent, and he got the receipts pinned inside the jacket of the little boy for fear he would be searched on going home. It was pinned inside, and others came knocking at the window.*(Sir C. Russell.)* You had better wait until you are asked.*(Mr. Murphy.)* My Lords, I want the witness to continue with her story.*(Sir C. Russell.)* My observation was she had better wait till she was asked.5753. *(Mr. Murphy.)* I do not recognise my friend's right to interfere. Go on with your story?—Another tenant has come to the widow and knocked, and we had to let let them in without the servants even seeing them, to pay the rent.

5754. Anything further?—Well, then. Others came in the same way, but I do not remember the particular instances, but a good many came secretly and paid their rent at first.

5755. At that time, as far as your judgment is worth considering, were the tenants able to pay, or not?—Oh, yes; they said to me, "We can pay, but we dare not."

5756. What is the date you fixed for the commencement of the agitation when this state of things grew up?—Well, there was a meeting in Clifton in which some violent speeches were made, and it was some time about then.

5757. *(Sir C. Russell.)* Were you there?—Oh, no; but I read them in the "Vindicator."5758. *(Mr. Murphy.)* What paper?—In the "Galway Vindicator."

5759. About what date was that?—It was some time after, but I could not tell you exactly. It was some time after that the tenants came—about 200 of them—round the door. It was the first time they were demanding a reduction, and they said then that they dare not pay, and they asked me the question, "Would I support their children if they were murdered"?

5760. Had you amongst others a tenant named Flaherty?—Flaherty.

5761. Did he pay first?—Yes.

5762. Rent?—Yes, he has paid all through.

5763. After he had paid his rent did anything happen to his hay?—His hay was burned shortly after the tenants came round the house.

5764. *(The Attorney-General.)* Had you a caretaker named John Keen?—Yes, a herd and caretaker.

5765. And was a portion of the land let to Mr. Michael O'Neil?—Yes.

5766. What was the name of your son for whom you were guardian?—Henry Edgar Valentine.

5767. Taking up the story, did O'Neil take some grazing out at Curragh farm?—Yes, he had part of Curragh farm.



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MRS. CAROLINE JOHANNA BLAKE.

[Continued.]

5768. Did he sub-let any portion of it to Pat Halloran?—Pat Halloran had a small farm adjoining to it that O'Neil had too. It was next to the Curragh farm, and Halloran had it from O'Neil.

5769. Had you also tenants of the name of Pat Neil, Thomas Neil, and Michael Conolly?—Yes; they held together.

5770. Partners, I suppose, in holding the farm?—Yes; they took it together.

5771. Did O'Neil and the others stock their farm with sheep?—Yes.

5772. On the 10th September 1879 were 180 odd of these sheep thrown into the sea and drowned?—Yes.

5773. It is suggested that that may be an accident?—It was quite impossible.

(*Sir C. Russell.*) I assure you nothing of the kind was suggested.

(*Mr. Murphy.*) If people would not speak so loud—I heard a suggestion from your side.

5774. Was this accidental or malicious injury?—Certainly not accidental.

5775. How many did you say?

(*The President.*) I understood her to say 180.

(*The Witness.*) I do not know exactly; it was 100 and something. Other witnesses will prove that.

5776. (*Mr. Murphy.*) Do you know that O'Neil and Halloran had compensation for their portion of the sheep?—Yes, we paid part of that.

5777. Did O'Neil put in more stock on the farm after that?—That I could not exactly answer, but he gave me notice—I think not then—but he gave me notice in April and gave up the farm. He told me he was noticed—he told me he had got a threatening letter

(*Sir C. Russell.*) There must be some limit to this.

(*The President.*) If it is his reason for giving up the farm I think it is admissible.

(*The Witness.*) He told me he got a threatening letter, but I cannot say whether the threatening letter was not to pay his rent or to give up the farm, I cannot exactly tell you now.

5778. Did he mention that when he gave you notice?—No, he did not mention that when he gave me notice. He just handed me the notice to surrender the farm, but he told it to me.

5779. (*The President.*) You mean he handed you the notice which he gave you to surrender?—I could not say he said it when he handed me the notice. I could not say that, but he told me between times—I could not tell you exactly when—that he had had a threatening letter.

5780. A Mr. H. Smith—what is his Christian name, do you recollect?—Henry Smith.

5781. Did he take the Derry-Inver farm from you?—Yes, he had it on lease.

5782. Well, he is here, but I may as well get the fact from you if you know it. Do you know of anything happening to his cattle or sheep?

5783. (*Sir C. Russell.*) Do you know of your own knowledge?—The way I know is, it was reported that such a thing happened on our farm, and I know that compensation was paid.

5784. Do you know it of your own knowledge?—Of course I know it happened.

5785. Were you there when it happened?—No, I would not be there, I was not amongst one of them.

(*Mr. Murphy.*) I have witnesses here; I will not trouble. We will pass from that.

(*The Witness.*) Unless I had been one of the agitators, you know, I could not have been there.

5786. (*Mr. Murphy.*) Mr. Smith is here. Was there a Mr. King that had grazing from you?—Yes.

5787. He lost, I think, a bullock or more?—One bullock was drowned. I saw the place where it was supposed to have been pushed in. It was evident there had been a struggle of the animal on the sand.

5788. Was that a place where a bullock could have got in of its own accord?—No, there was the evident mark of the pushing of an animal, as we understood at the time.

5789. Were there marks of men's feet about or not?—I think there were, but I could not just at this distance of time say that; but we considered at that time that that was where it was pushed in. We thought it was taken by a canoe because there was a canoe with the hair of an animal on it.



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MRS. CAROLINE JOHANNA BLAKE.

[Continued.]

5790. (*Sir C. Russell.*) Did you see that?—I did see the hair of the animal on the canoe.

5791. (*Mr. Murphy.*) At this time was police protection given you about this time?—Well, it was after this, I think.

5792. And a police hut put up?—Yes, because I had to go on the farms; they used to drive in their cattle to trespass in great numbers, and you could not get any one to go with you then unless you went yourself with them; you would have to bring the support of your presence with you—even the most friendly would not go unless you went with them, and I had to go myself—my son was from home some of the time, and I had to go by myself and help to drive the cattle. I have driven 50 sheep and 16 head of cattle and nine horses off one grass farm trespassing—wilful trespass—and then the horses were scattered when we got them up a little bit on the road.

5793. Was that a thing that happened only once, or was it often?—No, after the agitation it was happening constantly, and I had to go out sometimes at night. I have had to go out at 12 o'clock at night to drive trespass, and when I did that I thought I ought to have protection on account of what happened, because I went out one Sunday and we evidently disturbed a crowd of people, and then it was the following Thursday that King's bullock was drowned. I had not protection then, but I had after that.

5794. Was there a man named Keen a farmer on your property?—Yes.

5795. Michael Keen?—Michael Keen.

5796. He had some milch cows?—Michael King—I think it is King. Mr. Smith's herd is the only one I know of.

5797. Was there a John Cane a herd of yours?—Yes.

(*Mr. Murphy.*) For convenience I may tell your Lordships that I shall give evidence of this lady being mentioned at a meeting on the 7th April. I shall give evidence that this lady was named by Mr. Matthew Harris on the 7th April 1881. "Mrs. Blake, of Renoyle, is no better then a she-devil" is the phrase I shall seek to prove.

(*Sir C. Russell.*) Where, Mr. Murphy?

(*Mr. Murphy.*) A speech at a land meeting at Carna.

5798. On the 8th April, the day after that speech, do you know of Cane, your herd's house, being visited?

(*Sir C. Russell.*) Do you know of your own knowledge?—Yes, of my own knowledge. I was not there, of course, when it was visited, but it was reported to me in the morning.

5799. (*Mr. Murphy.*) Did you go to the house the day after?—No, for I was starting for England, and when I got to England, shortly after, I heard of it.

5800. We cannot have it, if that be so, unless you went and saw the house?—I did not; it was reported to me in the morning. He was my herd, and it was reported to me that his house —

5801. (*The President.*) Did he report it to you?—Oh yes.

(*The President.*) I shall allow that; it is part of a man's duty to come and tell what has happened.

(*Sir C. Russell.*) Then I formally object to any statement of this kind.

(*The President.*) Very well, I take your formal objection.

(*Sir C. Russell.*) I wish to state what it is. I object to any statement being made by this lady, or by any other lady, of this kind, which is merely hearsay evidence; and I say that unless this rule is observed, then this ceases to be, in any real sense of the word, a judicial investigation.

(*The President.*) That is not a proper observation to make. I entertain no doubt whatever as to the admissibility of this evidence. The witness says it was the herd who reported to her; that is, a person having certain duties towards her, and it is part of the duty of any servant in the employ of a master to make reports as to what happened affecting property which is put under his charge, therefore any statement made by that person to his master is admissible in evidence.

(*Mr. Justice A. L. Smith.*) I am of the same opinion.

5801a. (*Mr. Murphy.*) What was the report about?—They visited his house; I could not remember the exact words, but I heard the whole thing.

5802. Did he make any report as to what was done with the door?—I heard the whole story of the way in which he was visited at the time—it was reported to me in the morning.



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MRS. CAROLINE JOHANNA BLAKE.

[Continued.]

5803. In November 1881 Pat O'Neil, of Clifton, put some bullocks to graze on your farm?—Yes.

(*Sir C. Russell.*) Did she mention the name of the herd?

5804. (*Mr. Murphy.*) Was John Cane the name of the herd?—Yes, John Cane was the herd who was visited.

5805. I was asking you, in November 1881 did Pat O'Neil and others put some bullocks to graze on your farm at Tullamore?—Yes.

5806. Do you know, of your own knowledge, what happened with these bullocks?—Yes, it was reported to me that nine —

(*Sir C. Russell.*) I object again.

5807. (*Mr. Murphy.*) By whom was it reported?—I cannot say exactly, I suppose it was the herd.

5808. I pass from the report. Did you go and see the place where something was alleged to have happened?—Yes, I saw one of the bullocks that floated in with a rope round its horns, and its side opened up, apparently with a hatchet; this way (*describing*). The other floated in, or was found floating and brought in, I cannot recollect which.

5809. Did you on that occasion see any marks or footprints?—I am not quite sure whether I saw it on that occasion.

5810. Do not give me more than you can recollect?—No, I am not sure I saw the footprints, but others did.

5811. What was the result of all this conduct during these years?—They set on me from the beginning, and I was severely boycotted in many ways. I could not get labour. I had 60 acres of meadow at one time to cut down—I believe about 60—and only one man stood to his scythe. I had to get men from the north.

5812. Had you eventually to take an hotel to support yourself?—Yes, I am now proprietress of the “Renfoyle House Hotel.” After the “No rent manifesto” people did not come in, except very secretly, and they hardly came in at all after that for a time. They put up notices, “Herds and grazers pay no rent to any one.”

(*Sir C. Russell.*) Are we to have this evidence without these notices being produced?

(*The President.*) Yes, it is not necessary to produce the actual notices that are put up.

(*Sir C. Russell.*) And without her statement that she has seen them?

(*The President.*) That is not the way it was put.

(*Sir C. Russell.*) I was only calling attention to the evidence.

(*The President.*) And you can call attention to it in the usual way.

(*Sir C. Russell.*) And I shall continue to do so in the usual and proper mode.

(*The President.*) I think it is not the usual or proper mode.

(*Sir C. Russell.*) I am sorry your Lordship thinks so. I have restrained myself under very great circumstances of irritation.

(*The President.*) It does not seem to me that you have restrained yourself. I think you have spoken in a disrespectful manner.

(*Sir C. Russell.*) I assure your Lordship that I have no intention to be disrespectful.

(*The President.*) Then I accept that.

(*Sir C. Russell.*) My Lord——

(*The President.*) Some one must have the last word, and I think it is I who am entitled to it.

(*Sir C. Russell.*) Usually it is so.

5813. (*Mr. Murphy.*) Did you see this notice yourself?—I cannot remember now, but of course they were seen by the police.

5814. I only want to know whether you saw them?—I cannot remember now, but I know they were put up.

5815. We know in 1882 there were capital convictions for the Walsh's murder, and so on. Were things quieter or not after that in your neighbourhood?—Things did not quiet. I forget the date exactly. I could not answer that question without thinking.

Cross-examined by Mr. Lockwood.

5816. Do not speak, please, of what you call the agitation, but tell me as nearly as you can what was the date when you say you first began to have any trouble?—1879.



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MRS. CAROLINE JOHANNA BLAKE.

[Continued.]

5817. Can you give me about the period of the year, whether it was the summer or the spring or the end of the year?—I cannot carry dates much in my head. It was in 1879 the first time the tenants came round the house demanding ——

5818. Cannot you really help me a little more than that, by telling me at what period of the year it was—just think?—I could not give the exact date. I do not carry exact dates so well in my memory.

5819. I am not asking you for the exact date. I am anxious to ascertain from you, if I can, whether it was in the beginning or the middle or the end of this year 1879 that you first began to have trouble?—It was in 1879; it was when the agitation began.

5820. You will allow your mind, if I may respectfully say so, to go back to the agitation. I want you, if you can, to tell me the date?—Well, the tenants paid regularly and well up to the time that the agitation began.

5821. That you have already told us, but I want, if you will, that you should tell me at what time of the year it was when your first trouble began with your tenants?—We had no trouble up to the time that they came round the house.

5822. When was that?—I could not tell exactly.

5823. Can you tell me what time of the day it was when they came?—Oh, yes; it was broad daylight; it was in the morning they had gathered round, and I went out to the hall door and spoke to them.

5824. Was it in the summer?—I could not give the exact date, but the dates are known, for it was shortly after that that O'Flaherty's hay was burnt.

5825. That was, I suppose, before the hay was cut that they came?—Oh, no, the hay was ricked.

5826. Had it just been got?—The hay was cut and stacked.

5827. But how long before that hay was burnt was it that these people came to your house?—I could not tell exactly how long, but it was some time before.

5828. Was it after the hay harvest that they came, or about the time of the hay harvest?—Of course, if it was some time before the hay was burnt. I cannot exactly say what date.

5829. But was it about the time of the hay harvest?—The hay was in the stack when it was burnt.

5830. That, I suppose, would be so. If you cannot assist me any further I will not pursue that. But tell me this, please. In 1879 had times been very bad for the tenant farmers?—No, I do not consider they had, because the people told me they could pay their rent, but they dare not.

5831. Had the times been bad for the tenant farmers in 1879?—There was a complaint of potatoes, but after that complaint was made they had plenty of potatoes at Renoye.

5832. Had prices gone down?—They got up a cry of distress, but that cry, I believe, was political.

5833. You mean to insinuate by that that they got up a cry of distress, whereas distress did not exist?—Distress existed afterwards, because a cry of distress will produce distress.

5834. I dare say it will amongst people who have got any feeling?—It will prevent merchants bringing in provisions.

5835. Do you mean to suggest that a cry of distress was got up, when, as a matter of fact, distress did not exist?—I do say so, on our estate.

5836. Were the crops bad in 1879?—I believe they said some of the potatoes were bad.

5837. You used an expression that they said so. Do you mean again to suggest that they said they were bad, whereas they were not?—I do certainly say that the cry was made that they were bad, whereas they were not, because they were selling potatoes in the market at Renoye off our estate after they said there would not be a potato.

5838. I do not want to interrupt you. You say they were selling at the market—I did not catch the name of the place?—Renoye. I mean the tenants were selling potatoes.

5839. Was that reported to you as having taken place?—I have the market return.

5840. But how does the market return show you that any tenants of yours were



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MRS. CAROLINE JOHANNA BLAKE.

[Continued.]

selling potatoes?—I know who were tenants and who were not. It was officially reported to me.

5841. The market return applies to sales by different people, and not to sales by any particular person?—The way we kept our market returns that time I know who sold potatoes and who did not. Besides, I know, as a fact, that the people had potatoes, many of them, long after it was stated.

5842. By a market return, do you mean a published return in a newspaper?—Oh, no, a return the man who kept the market gave to me.

5843. A private communication made to you by the keeper of the market, is that what you mean?—Yes, he kept at that time a list of the different stores sold.

(*Mr. Lockwood.*) My Lords, I was under the impression, when the witness answered my question in the way she did, that she was referring to some published market return, which, of course, I should not have objected to.

(*The President.*) You are now cross-examining her as to her knowledge.

(*Mr. Lockwood.*) Exactly. I assume that your Lordship would not admit any knowledge that she had obtained in this way.

(*The President.*) Well, it would not be admitted, of course, in examination in chief, but if you ask her the source of her information she is entitled to tell you.

(*Mr. Lockwood.*) I do not think that I did that. I asked her whether, as a fact, she knew that prices were down, and thereupon she put upon me a knowledge that they were otherwise by a return, and so on. However, your Lordships appreciate the source from which this information came.

(*The President.*) Certainly.

5844. Had there been a failure of the potato crop?—Yes, there was a failure in part, I suppose, but they reported it more than it was.

5845. Again. You mean they exaggerated the state of the failure of the potato crop?—Yes. I will tell you what happened at one time, to give you an idea of the state of things that were going on then. I was brought to a farm, and they showed me the potatoes.

5846. Give the name?—Yes, I can give you the name. It was Hoyland.

5847. One of your own tenants?—Yes, one of the tenants. I could not tell you the exact date of this; but to show you the way, he had dug out his potatoes—a great quantity of the potatoes—and had them pitted on the other farm next to him, only close; and he showed me the potatoes—little wee things. He said those were the potatoes; but somebody gave me a hint to look at the other side of the ditch, and said that he had pitted them there; and the man only laughed.

5848. Who gave you the hint?—I could not tell you; but the man standing by said, “Look over the ditch,” and I looked over and saw at once there were only the potatoes that were left in little bits—little bits of things.

5849. Who was the tenant who played this potato trick upon you, if I may so call it?—That was Hoyland. I could not give you the date. “Hillan” he is called sometimes.

5850. Is it spelled H y l a n d?—I really could not spell it for you.

5851. I am sorry for you. It would not be a great intellectual effort to attempt to do it. Is this man still a tenant of yours?—He is.

5852. Hoyland?—Yes.

5853. Was it in consequence of the failure of the potato crop that the price of potatoes went up at the period of which I am speaking; can you tell me that?—How do you mean, the price?

5854. Because you see when the crop failed there were fewer potatoes?—As a matter of fact the Renoyle people have potatoes.

5855. I wish to give you every opportunity of answering every sentence you commence; but I must ask you before you commence to speak on each occasion to answer the questions I put to you. First, do you know, as a fact, that the enhanced price of potatoes was in consequence of the failure of the potato crop?—Of course, if the potatoes rise —

5856. Do you know?—I do not. I can only say if you prove potatoes went up high it showed the potatoes were fewer, but, as a matter of fact, the Renoyle tenants long after had potatoes when they said there was none.



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[Continued.]

5857. Give me as many names as you can of those who came to your house on this occasion when you say the trouble began?—That would be very hard to give—over 200.

5858. Give me as many as you can; I do not ask you for 200, but give me as many as you can. Can you give me any?—I can.

5859. Then give me those you are able to give me?—I can give you Simon Mullen—Simon and Gregory Mullen.

5860. Yes, any more?—Really it would be very hard to give them—Jimmy Lyden was another, John Ruhan was another, who is in America now.

5861. Yes, go on?—It would be hard for me to give many, because they are all Kenealy's and Hillyard's, and different names of the men.

5862. Kenealys?—Yes, there are Kenealys and Hillyards.

5863. Did the Kenealys come on that day?—Yes, the Kenealys and Hillyards and Mullens and others. I could not remember to give you the exact Christian name with the surname.

5864. Do you mean to suggest that all your tenants came on that day?—Well, a great number of them; we considered about 200.

5865. How many tenants have you?—I do not know how many.

5866. Well?—They sent a good many to America. There were about 200 to 300 then; of course we did not count them, but there were a great many round.

5867. You have given me about 200; I am asking you to give me as nearly as you can the number of tenants you had at that time?—I could not give you exactly, because some of them are repeated twice in the rental. They have land in two places, and I have often found it very hard even with a pen and ink to make up the number. I might think, if I had time, of more of them, but I could not now.

5868. Can you give me any idea how far Renoyle is from Carna?—I could not give you exactly how far.

5869. About?—I never was at Carna.

5870. Is it a distance as great as 30 miles?—I could not tell you at all.

5871. Just to go back a moment to the other question of the tenants coming to your house. I suppose one man was the spokesman for the others?—No, several of them spoke. John Ruhan was one of the spokesmen.

5872. Was he the principal spokesman?—Well, he was one of them—there were several of them spoke.

5873. I am not going to trouble you by repeating these names again, but do you mean in the names that you have given of Simon and Gregory Mullens, and Lyden, and so on, that you have included the names of the persons who spoke on behalf of the others on that occasion?—No, I could not exactly say—several of them spoke.

5874. But if you can remember the name of any other man who spoke on this occasion I wish you would give it me?—There was John Ruhan.

5875. That name you have given me?—Then, I think, that that very man, Gregory Mullen, spoke, but I could not now tell which. One of them asked me (I forget which said it), but one of them asked me distinctly would I support his children if he was murdered.

5876. Which man was that?—I really could not say exactly who it was who said that, but I recollect it distinctly.

5877. Do you mean this was said to you by one of your tenants?—By one of my tenants.

5878. And you cannot remember the name?—I cannot remember his name; we have about 200 people. They were all talking.

5879. I understand you to say you remember one man made this statement?—Oh, distinctly.

5880. And you cannot give me the name?—I could not give it exactly.

5881. Was it said so that the rest of those who were there could hear him?—Oh, yes, certainly, if they were near.

Cross-examined by Sir C. RUSSELL.

5882. What is the name of the parish in which your property is situate?—Ballinakill is the name, I think. That is the Catholic parish.



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5883. What was the name of the parish priest in 1879?—Father McAndrew, who was president of the League, and Father O'Connol, who, I believe, was secretary of the Land League.

5884. Father McAndrew you believe, was president, was parish priest?—And Father O'Connol was the secretary and the curate. It was he that got me attacked in the House of Commons.

5885. What?—I believe it was through Father O'Connol that I was attacked in the House of Commons.

5886. Then your proceedings have been discussed in the House of Parliament?—Yes, and proved to be untrue, by the report of the Government inspectors.

5887. When was this discussion in Parliament?—Well, I suppose that could be ascertained, but I could not now just recollect.

5888. What year was it?—Mr. Forster was alive. It was he who defended us.

5889. It was during Mr. Forster's time?—Yes.

5890. Who were the inspectors whose reports you say disproved it?—I think Mr. Robinson was one and Dr. Rowne was another, and the police inspector and others.

5891. Let me have them. Who was the first you mentioned?—I think Mr. Henry Robinson's report was one, but they were mentioned by Mr. Forster.

5892. Who is Mr. Henry Robinson?—He was local government inspector.

5893. Who was the next you mentioned?—I think that was the report, but it was mentioned by Mr. Forster.

5894. I thought you mentioned Dr. Rowne?—I think Dr. Rowne said that in all Ireland there was not a finer set of people, and the old did not look to be prematurely old, and the young were robust, and they were all said to be starved.

5895. Was this in the report?—That was the report given by Mr. Forster.

5896. What was Dr. Rowne?—I think he was a local government inspector—I think that was the name, but I am not quite sure who—it was mentioned by Mr. Forster.

5897. Did either of these gentlemen you mentioned live in the neighbourhood?—They were sent down by Government to see whether the report was true or not.

5898. Did you see them?—I did not see Mr. Robinson when he first came. I met him afterwards. I never had seen Mr. Robinson before he gave his first report.

5899. Did you see Dr. Rowne?—I never saw Dr. Rowne in my life.

5900. You have been mentioned elsewhere than in the House of Commons, I think?—Mr. Forster reported in the House of Commons—

5901. Have you ever heard of a book called "Disturbed Ireland"?—I did not read the book, but I saw it in the paper, and that was brought forward and contradicted by Mr. Forster by the report in the House of Commons.

5902. I think you must be mistaken about the book I was referring to, for it was not published till this year?—That "Disturbed Ireland" was published more than this year.

5903. You may be right?—I am right, because it was in the paper first. I think it was Mr. Becker, and it was Mr. Becker's report that was contradicted by Mr. Forster in the House of Commons.

5904. That will open an avenue of information to us. You have not been able, in answer to my friend, to fix the time of the year at which this agitation commenced—that your tenants waited upon you?—It was in 1879.

5905. But you say it was after the hay crop had been put up?—No, it was before the hay crop was burned.

5906. After it had been put up?—After Pat Flaherty's hay was burned; after that to the best of my recollection.

5907. To your knowledge, or I will take your report if you like, was any land meeting held before that deputation of your tenants waited upon you, and if so where?—Well I could not tell you exactly that. They had a meeting at the cross roads, and I could not tell whether that was before or after, but they made some statement at that.

5908. I must ask you to answer my question first?—Well I was not at Land League meetings and I could not tell you exactly.

5909. You have told us a great many things as to which you were not present?—I could not tell you the date exactly. There was a meeting at the cross roads.



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[Continued.]

5910. Will you undertake to say either from your own knowledge or from any report that you heard, of any meeting that you call a Land League meeting which was held before your tenants came in a body to you?—There was a meeting held in Clifton.

5911. Kindly answer the question?

(*The President.*) She said so before. "There was a meeting at Clifton. It was after that that the tenants came."

5912. (*Sir C. Russell.*) Will you undertake to say—I leave the question in the same form—that you either heard a report of any meeting, or that you saw any land meeting held in your neighbourhood before your tenants waited upon you?—Well you know it is a good while ago—many years, and I could not tell you whether it was before or after that, but there was a meeting held at the cross roads, and the date can be ascertained. There was a meeting held at the cross roads in which a great many mis-statements were made about the estate, and I contradicted them in the paper from a letter signed "Fact v. Fiction."

5913. "Fact versus Fiction"?—Yes.

5914. Where did that "Fact versus Fiction" appear?—In the "Freeman's Journal."

5915. At what time?—I could not tell you that exactly. I cannot carry dates so particularly in my head.

5916. You have referred, as you have heard from my Lord, to a meeting held—

(*The President.*) I only reminded you that she had said so before. She mentioned the place Clifden again, and I said she had said so before.

5917. (*Sir C. Russell.*) My note is not the same as your Lordship's as to the relation to the other facts?—They talked in that meeting of landlords.

(*Sir C. Russell.*) I am going to ask her if you will allow me—

(*The President.*) Yes.

(*Sir C. Russell.*) As regards the meeting at Clifden you referred to, do you now tell the court you believe that meeting was held before your tenants waited upon you?—I believe the meeting was held before the tenants waited upon me.

5918. Are you sure of that?—I believe it was. Yes, and they talked of landlords weltering in their gore.

5919. At the meeting at Clifden you mean?—Yes, and that Mr. Lowther had said there should be a close season made for landlords, as well as I recollect it, but that if he wished it to be so the laws must be changed, for until they were changed they would hear of wrongs avenged, and the sound of the deadly firelock in the midnight air.

5920. I want an answer to what I have been putting to you. Do you persist in saying that meeting was before your tenants waited upon you?—That is to the best of my recollection—that meeting was before the tenants waited on me.

5921. Now I wish you to explain the position of Clifden in relation to your property. How far is it from Clifden to Letterfrack?—It is 14 miles from Clifden to Renoyle.

5922. I thought it was rather more, is not it?—No, it is not.

5923. How many is it from Clifden to Letterfrack?—That is what we call it posting. It may be more in strict English miles, but I do not think it is. It is 14 we charge for posting.

5924. Now Renoyle, your place, is beyond Letterfrack?—Yes.

5925. And on the sea-board?—It is five miles beyond Letterfrack.

5926. Yes; on the sea-board?—On the sea; yes.

5927. Who are the adjoining owners?—Mr. Mitchell Henry.

5928. That is on one side?—I think that is on both sides.

5929. And at Letterfrack, Mr. Graham?—Yes. He does not actually adjoin, but he is quite near.

5930. He does not actually adjoin you, but he is quite near?—He is quite near.

5931. And who is the owner of the property on the Clifden side of Ballinakill Bay?—Is that also Mr. Graham?—I could not really tell you what you mean. I do not know. You know I do not know many. I know our own estate and my son's estate.

5932. I am trying to get from you who the adjoining owners are?—Mr. Mitchell Henry, I think, if you look on the map, adjoins on both sides.



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5933. I quite agree; and beyond that Mr. Graham?—Mr. Graham is quite near. I think he adjoins. Yes, Mr. Graham and Mr. Henry has some land from Mr. Graham.

5934. How long did Father McAndrew, who was the president, and Father O'Connor, who was the secretary, continue there, or are they there still?—Father McAndrew is there still.

5935. And Father O'Connor, when did he leave?—He has left some time.

5936. When?—I could not exactly tell you now. I might remember, perhaps, if I had time to think, but I could not tell in a moment like this.

5937. I do not wish to press you unduly, but about when?—I really could not tell exactly. Most of the outrages had been done before he left.

5938. Were there much arrears on your property?—No, it was the best paid estate that the agent had to do with. He always said so, and they came in quite cheerfully.

5939. I am going to ask you a little about that please. Do you recollect the passing of the Arrears Act?—Yes.

5940. You probably will tell us when that was. 1882, was not it?—Oh, I really could not tell you. I am a very bad one for remembering exact dates.

5941. Take it it was in 1882, were things rather quieter in the country after that?—After all those outrages had been committed. In fact, in 1883, after I had set up the hotel, I got no disturbance after that.

5942. I want to get that please?—I got no personal disturbance except one. My fowls were poisoned, but nothing else was done; a great many hundreds. I forgot how many were poisoned, but then they were poisoned when first I set up the hotel.

5943. Do you mind attending to me. Am I right in saying this, that the worst of the outrages and disturbances were before the middle of 1882?—1883 I set up the hotel.

5944. Do you mind answering my question. Am I right in suggesting to you — ? —I could not really tell the exact date.

5945. I am asking you whether you cannot tell us generally if the worst outrages were before 1882—before the autumn of 1882?—Whatever date the cattle, the nine bullocks were drowned; that was the last, I think, of the serious outrages.

5946. Unless you can tell me what date that was you do not help us very much?—I suppose there are people who can prove it.

5947. Surely you can tell us that simple point?—Other people, I suppose, can prove to that date.

5948. Surely you can tell me whether from your recollection of the country the worst outrages were not before the autumn of 1882?—The drowning of the cattle—

5949. Can you tell me?—I do not remember. I could not tell you the exact date in a moment like that, but the date is well known, and when the nine bullocks were drowned.

5950. At all events, after 1883, except this instance of your fowls, you say you yourself did not suffer?—No, after 1883 they have done nothing to me. We are now on the best of terms again with the tenants. They come in and out of my house as they ever did.

5951. Do a great many of the people in your neighbourhood go to work away from their homes?—No, very few. They go to America. They have all friends in America.

5952. I am going to ask you about America in a moment?—They have friends in America and they go—

5953. Have your tenants paid their rents to your knowledge to a very large extent out of the earnings of their children sent from America?—Oh, some of them, of course, pay from that, but I do not think they do to a very large extent, because they have plenty of means to pay it without that.

5954. Thriving and prosperous are they?—They are.

5955. Very?—That I consider.

5956. That you consider—thriving and prosperous?—That I consider them. Of course, as I have always said, there are exceptions, and always will be. Some would never be well off.



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5957. Those who deserve to be well off are thriving and prosperous?—Yes, I consider them so; and if you saw their stacks of hay, and ricks of corn, and pits of potatoes, I think you would say so.

Cross-examined by Mr. BIGGAR.

5958. What was the gross rental before 1879 of your property?—Now, what do you mean by the gross rental?

5959. How much money did you get from the tenants?—Well, 1,600*l.* Mr. Robinson has collected; if I had known I should be called upon I could have brought the rentals.

5960. Did any of your tenants go into the Land Court?—Yes, a few did; but I can tell you if you wish how we settled with the tenants.

5961. Yes?—Of course it was a great many to settle with. As I said, there were a good many, and it was a dreadful idea to think of going into court with so many tenants. So we said to the tenants—I think, indeed, it was suggested even by one of the clergymen to some one—but at any rate we thought that we would get each holding surveyed—not surveyed, but gone over—to see what reduction, considering the times, should or should not be given, considering the times, for they were all fair and low set; but considering the times what reduction should be made. So we sent a person that was agreed upon round to each of the holdings, and he made a careful book, he made a careful entry in a book of each holding, and the history, as far as he knew it, as it could be told to him of that; and he took some off one, nothing off others, and more a good deal off another according to the history of the estate and the times. And then we brought in all the tenants, and we gave them his valuation. We handed it to them and we said “Now take that home and consider it, and if you do not agree to that you can go into the Land Court, but that is our agreement with you. You can go into the Land Court. If that does not please you, you can go in.” So several tenants—not very many; I think 18 or 20, not more. Then, when the Court came round, to tell you the truth, I thought perhaps when those tenants were settled with, that the others would be discontent if they got more from the court; but the Commissioners just did as we did. They gave none to some. We gave none to some. We said: “We will give you nothing.” Then this gentleman gave a little to others, and, as I told you, more to others. He took perhaps a few shillings, like the Commissioners, off one, and he took a pound or more off others. He did it according to just what he thought right, considering the times, and, as I told you, we gave a slip of paper, and handed it to each tenant. Well, then, the Commissioners, when they came, just did the same. They took none off some, and they took more or less off others, and then some of the tenants said, when they took nothing off one, and when they took nothing off another, they were very well content; and several who had not settled with us, came in then, and settled with us.

5962. About what year was this?—It was at the time when the settlement was made.

5963. Was it 1883, or 1882, or 1884, or 1885?—Without my books I could not tell.

5964. Give a guess?—I could not guess.

5965. Do you mean to swear you cannot guess whether it was 1882, 1883, or 1884?—I cannot guess dates. I do not keep dates in my head like that.

5966. Was it long after 1879?—Well, we lost 3*s.* in the pound now by the Government reduction because we had early settled with them, and I could not tell you what date that was.

5967. How much is your rental now?—Oh, I really could not tell you.

5968. You cannot?—No, I could not.

5969. Do you mean to swear? You told us before you had 1,600*l.*?—Yes, but then there is a receiver now on the estate, and the rental has been reduced, so I could not tell you how much it was.

5970. About how much is the present rental?—I really could not tell you.

5971. You could not tell about how much?—I could have brought it if I had known you would ask me.

5972. Is it over 1,200*l.* a year?—I could not tell you really.

5973. Is it over a thousand? Can you swear whether it is over a thousand or not?—I really could not tell you. I could not tell you exactly.



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5974. Do you think it is above a thousand?—I could not really tell you.

5975. Do you think it is above 1,000l.?—I would have brought you the amount.

5976. Do you you think it is above 1,000l. or not?—I could not tell you at all.

5977. You do not know whether or not it is above 1,000l. or 1,600l.?—I have not been doing business for some years.

5978. Do you not know whether or not it is above 1,000l.—the rental that is received now?—I could not tell you exactly what the rental is.

5979. Do you think it is above 1,000l.?—I could not tell you.

5980. What do you think?—I could not tell.

5981. Can you not offer an opinion?—When I was doing business I could have told you,

5982. Can you not offer an opinion? Will you answer yes or no?—An opinion would be no good when I do not know.

5983. I ask for your opinion?—I really do not know what the rental is now.

5984. Do you believe it above or below 1,000l. a year?—I could not really tell you.

5985. What do you think?—I could not tell you.

5986. You could not think?—I could not tell you now, because it is in the hands of a receiver, and you can get from him what the rental is, if it is a matter of importance, but I really could not tell you.

5987. Will you tell me this. You cannot tell whether or not the reduction from 1,600l. has been more or less than 600l. a year?—When I say 1,600l. I find that that was money collected in by Mr. Robinson on some of the accounts, but about the rentals I could not exactly tell you.

5988. I did not ask you to say exactly. I only ask you about how much. Tell me this. Till this reduction was made whatever the reduction was, did you or did you not make any allowance or give any reduction to your tenants?—I could not tell you.

5989. Listen to my question. Till these reductions to which you have referred took place, did you or did you not make any reduction to the tenants?—Well, I did, because when everybody did it—I refused them at first, except to consider each case on its merits—that I would consider each case—they should pay as always, and if there was any case of distress or any case in which the tenant could not pay, I would consider that. Then I refused to do it on a demand so made, but afterwards I gave 10 per cent.

5990. About when?—I could not really tell you.

5991. About how long after 1879 was it? The first controversy arose in 1879 you told us. About how long after 1879 did you make the 10 per cent. reduction?—I think I gave 10 per cent. for two years.

5992. When did the two years commence?—Or at least twice. Twice I gave 10 per cent.—at least I offered it to them. I do not know, but I think they accepted it twice.

5993. What do you call twice? Do you mean two years or two half-years?—I could not tell you now.

5994. Can you tell when the 10 per cent. commenced—about how long after 1879?—Oh, it was a good while. It was some time after.

5995. That is about 1882?—No it was not, it was 1880. I think it was 1880.

5996. Or 1881?—I could not really tell you.

5997. Which do you think now?—I could not tell you a thing. I do not remember exactly.

5998. Do you know how much 10 per cent. on 1,600l. a year would be?—I do not.

5999. That would be 160l., I suppose I may take it?—When I say 1,600l. I am not giving the amount, because I would have brought it,

6000. About 1,600l. you told us?—Yes, Mr. Robinson used to collect at least that.

6001. And you allowed about 160l. allowance. When you found your rents were likely to be fixed by the Land Court you gave a reduction of 600l. or upwards. Is not that so?—I could not tell you. No, we gave each one on its merits. We did nothing of the kind. We did each one on its merits. We gave nothing to some.

6002. You have told us all that before; you need not tell us that over again.

(The President.) But you are asking the questions.

6003. (Mr. Biggar.) Yes, and the witness does not answer, my Lord?—I answer when I can.

(Mr. Biggar.) You make a speech and you do not answer at all, that is what you do. I have done, my Lord.



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[Continued.]

(*Sir C. Russell.*) My Lord, we have got the figures here, that is the reason I did not go into this matter with this lady. The figures show this: that in three cases there was no reduction. In all the other cases there was, the lowest reduction being 13 per cent., the highest reduction being 33 per cent., and the average being, as far as I can roughly make it out, somewhere between 20 and 25 per cent.

(*The Witness.*) But there was no reduction made on some.

(*Sir C. Russell.*) I say three on which there was no reduction.

(*The Witness.*) But how many tenants went in?

6004. (*Sir C. Russell.*) I think there are 20. As this has been mentioned, there has been a further reduction since, has there not?—But that was without any inquiry as to whether it was right or not. The tenants did not even ask for a reduction—they got it without asking from the Government—the general reduction.

## Re-examined by the ATTORNEY-GENERAL.

6005. When did your son come of age?—Really I could not tell.

6006. About—how old is he now?—He is 23 or 24—23.

6007. Then he came of age two years ago. That would be in the year 1886?—1885 or 1886, I cannot say exactly.

6008. He may be getting on towards 24. You have told my Lords, I think, you lived among these people a very long time?—Yes, I lived since I was married—since 1861.

6009. That would be 25 years. And had been on good terms with them?—The very best terms. They came in and out of our house as if it was their own.

6010. Were you acquainted with their social condition? In case of want used they to come to you and ask for help?—Oh, yes; they would come, perhaps, and borrow money from me, and come and pay it again, and if they wanted at any time a bag of meal I got it for them.

6011. If a cow died or a pig was ill, or anything of that kind, they used to come and see you about it?—They used to come and see me, and if they got money from America they were glad to tell me.

6012. You lived among them and were on perfectly good terms with them?—Yes, I knew the means of some and very well the means of others.

6013. Did you know from your personal observation who were thrifty and who were idle?—Of course I had my opinion of the different tenants.

6014. You said just now the cry of distress had an effect. I want to ask you what was the effect. I was unintentionally stopped.

(*Mr. Lockwood.*) I do not think I stopped you.

6015. (*The Attorney-General.*) What did you mean by saying the cry of distress had an effect in the neighbourhood? You were going to say something about the merchants?—What I have always held was that a cry of distress produced distress, because it prevented merchants giving credit the way they have sometimes. The people sometimes, do not you see, if their potatoes ran short they got a bag of meal on credit if they have not change at the time. Then when the fair opens they sell their cattle and they pay that. There is a good deal of that goes on in a country place like that, and therefore a cry of distress would injure the credit very much; and if there had not been relief, I think there would have been distress after a time, you know, when the famine was greater.

6016. Among the people upon your estate up to the time of these meetings was there any such distress as to affect the whole of the tenants as a mass?—Certainly not. I have seen people sitting wanting relief that I knew to be well off.

6017. That you knew from their past history and their condition to be well off?—Well, a road contractor having a jaunting car and a cart.

6018. You mentioned about one of the Roanes going to America; do you remember when it was?—The Roanes went to America at the time the Lydons' murderers were going to be taken up.

6019. About how many years, speaking roughly, should you say the agitation has ceased in your neighbourhood?—Since I set up the hotel; that is since the end of 1883.

6020. Previously had you carried on any trade, or simply lived among the people?—No trade at all, just because the rents had not come.



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MRS. CAROLINE JOHANNA BLAKE.

[Continued.]

6021. You started the hotel. Why were you obliged to start the hotel—to get a living, or what?—To get a living; because I saw that between the way they were heaping up the rates and the way they were keeping back the rent, they could, in fact, crush us if I did not do something to prevent it.

6022. You, having previously been able to live independently, started this hotel in order to get a living?—Yes; I had a very good allowance left me by my husband.

6023. Are you still carrying it on?—Yes.

6024. And since the agitation has ceased, whatever may have been the cause of it, what have been your terms with the people you are living near?—The very best again. They come in and out of my house as ever.

6025. My friend, Sir Charles Russell, has asked you whether the Arrears Act did not have an effect in the year 1882?—We lost very little by the Arrears Act, because I made the tenants pay up when they said they had the money.

6026. Had you on your estate, up to that time, up to the time of the agitation, substantially any arrears?—Up to the agitation we had substantially no arrears.

6027. You used to lend people money when they wanted it?—When I say that, if they came into me.

6028. I mean, as an act of kindness, you would accommodate a tenant?—Sometimes. Yes, I have done so frequently.

6029. If a tenant wanted 5*l.*?

(*Mr. Lockwood.*) You are drawing on your own imagination.

(*The Attorney-General.*) I beg your pardon, I am asking a question.

(*Mr. Lockwood.*) Then I will take an objection.

(*The Attorney-General.*) I will put it in a shape you cannot object to.

(*The President.*) The Attorney-General expanded her answer.

(*Mr. Lockwood.*) A little. He got up to 5*l.* without any invitation from the witness.

6029*A.* (*The Attorney-General.*) I am dealing with the matter my friend will not suggest unfairly?—I did not say 5*l.*

6030. I did not mean any particular sum of money. Just explain, in your own way, the sort of amounts that you used to lend to a tenant?—I have lent them small sums—a pound, two pounds, three pounds, shillings, or whatever they might want. I have occasionally done that when they wanted.

6031. And they have repaid it?—Always paid it. I gave them 150*l.* worth of meal at one time. The kelp agent always used to give me money in advance. That was a very bad system, and that stopped; and then among the kelp burners there was a little pinch, and I at that time advanced them 150*l.*, as near as I recollect, and they paid every penny of it except one boy, a poor man, was unable to pay—every penny.

6032. When did you do that?—I could not tell you the exact date when the kelp agent ceased, but it was not very long before.

6033. Then I want to ask you this distinct question: So far as you and your tenants were concerned, did the Arrears Act have any bearing on your relation?—No, because we only lost 300*l.* on the Arrears Act.

6034. Now, with regard to the Crimes Act; do you remember the Crimes Act coming into force in 1882? Do you remember the Crimes Act being passed?—Yes, I remember the Crimes Act being passed.

6035–6. After the Crimes Act was passed, was the condition of the country round you better or not?—Well, you know some of those who committed murder were taken up, and suspects were put into prison too by Mr. Forster, and they were the right men, I believe.

6037. With regard to your own land, is any of your land in your own hands, I mean being worked by the receiver or on behalf of your son?—I have land in my hand. My son has land in his hand, and a second son that I had to bring from the army has land in his hand.

6038. You mean land which belongs to your son or belongs to your family, but which is being worked by you, your son, and your second son?—Yes, all the grass land which was thrown up.

6039. Have you more land upon your hands than you had at the time Mr. Biggar asked you about?—A great deal more. We have all the principal grass farms.

6040. Working yourselves?—Yes.

6041. What is the total acreage of your property?—From 4,000 to 5,000 acres.



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MRS. CAROLINE JOHANNA BLAKE.

[Continued.]

6042. And you said 200 or 300 tenants. How much of it is on your own hands now or the hands of you and your sons?—There are the principal grass farms.

6043. How much, about?—My son might be able to tell you. Really I could not.

6044. Is it 500 acres or less or more, or what of the whole? If you do not remember I will not trouble you?—I could not tell.

6045. But considerably more I understand you to say?—Yes, it is a great deal.

6046. (*The President.*) You have spoken of some lands being in the hands of a receiver. How did that come about?—Oh, from the tenants—from the rents not being paid; and the grass we lost in several ways. We lost by the rents not being paid. The interests were paid up before the agitation—all the interests.

6047. Have your creditors taken possession?—The mortgagees.

6048. That is what I wanted to know?—The interests were well paid up up to that. And then, of course, we kept them paid up during the agitation with difficulty.

6049. You have answered my question.

(*The Attorney-General.*) I think we shall be able to prove the actual quantity.

Mr. HENRY BLAKE sworn; examined by Mr. MURPHY.

6050. Are you the son of the last witness?—Yes.

6051. I think you have been in court a portion of the time your mother has been examined?—Yes.

6052. On the occasion of the sheep being found over the cliffs did you go to examine the place?—No, I was not at home till the time of the outrage at Tullamore—the last of the outrages on the cattle.

6053. What is the date of that?—I am not exactly sure of the date.

6054. Was that about November 1881?

(*Sir C. Russell.*) December 1881.

6054A. (*Mr. Murphy.*) December 1881?—Probably, I am not quite sure. There were nine bullocks destroyed.

6055. That is what I wanted. Did you go there and see the state of things the day after?—Yes, I went there with the police and the herd, and I saw the place. They had brought the cattle from a distant part of the farm, and there were scratches in the ground some three yards or so down the hill where they had been dragged down, and marks on the sand and down at the shore where the cattle were brought into the sea. And afterwards a man living on an island about a mile out to sea coming in to the main land found one of the bullocks with a rope round its horns and two gashes in its side.

6056. (*Sir C. Russell.*) Did you see this?—I saw the bullock.

6057. (*Mr. Murphy.*) Did you see whether there were marks of footprints about there or not?—Yes, there were a lot of marks on the sand. It was all trampled. You could not distinguish any particular marks except you could see the long marks of the cattle. It was all terribly trampled.

6058. What judgment did you form of the number of people?—There must have been a good crowd because the bullocks were all strong bullocks.

5059. You did not see the places where any of these other outrages are said to have occurred?—Not at the time, no, except the donkey's ears.

6060. That I forgot to ask about. What was that you saw?—It was in the morning. The agent was coming that morning, and just before he arrived, about 10 o'clock in the morning, a report came in that the donkey had his ears cut off and was inside the avenue gate. It was the agent brought the report. As he came in the gate he met the donkey in the avenue. He had one ear cut clean off and the other ear cut half way through.

6061. (*The President.*) Did you see it yourself?—I went up then and saw the donkey. We brought it down into the yard. Part of the ear was hanging off. We had it cut to finish taking it off.

6062. (*Mr. Murphy.*) Can you fix the date when this was. Was it before or after the nine bullocks?—I think it was before the bullocks, but I am not sure.

6063. Was this a donkey that was on your farm?—It was a donkey belonging to us.

6064. A question was asked your mother as to the quantity of land which is now in your hands?—There is about 500 acres of good grass land, partly demesne, and part



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[Continued.]

of the land set to the O'Neils formerly, and something about 1,000 acres that Mr. Smyth had formerly on lease.

6065. That is in addition to the 500.?—Yes, it is partly mountain.

Cross-examined by Mr. Lockwood.

6066. How old are you now?—Nearly 24. I am in my 24th year. 1885 I came of age.

6067. And you did not come home, as I understand, till about the end of 1881?—Yes, I came home in 1880, but I was away again for some months afterwards.

6068. I suppose your mother manages principally in your family?—Oh, yes, she managed up to 1885 entirely.

HENRY SMYTH sworn; examined by Mr. MURPHY.

6069. In 1879 did you hold land under Mrs. Blake?—I did.

6070. Was that at a place called Derryinver?—Yes, Derryinver was a portion of it. It was a portion of several town lands I held.

6071. On the 11th of December in that year was anything done to some sheep belonging to you?—Yes, I lost some sheep sometime in the month of December. I cannot exactly say the date now.

6072. About how many?—17 or 18, I think.

6073. What was done to them?—I could not say; they were taken away off the place and I never got tidings of them again.

6074. Were none of them found in the sea to your knowledge?—None to my knowledge.

6075. Were the police communicated with?—Yes, the usual form was gone through, and I obtained compensation for the loss of them as a malicious injury.

6076. Why malicious injury?—Well, because they were taken off the place.

6077. That would be stealing them, you know, under ordinary circumstances. Why malicious injury. What was the claim you made?

(Sir C. Russell.) I ask, is that evidence—the claim he made?

(The President.) The claim he made surely is evidence.

(Sir C. Russell.) How, may I ask?

(The President.) He says he lost sheep, and he is asked upon what ground he claims for malicious injury.

(Sir C. Russell.) How is that evidence? Supposing this gentleman said, I claim for malicious injury, because I suspected that they had been maliciously made away with or destroyed; how is that evidence of the fact?

(The President.) That is not the question. The question is upon what ground he preferred his claim.

(Sir C. Russell.) My point is, how is that evidence?

(The President.) It is evidence to know upon what ground he preferred a claim.

(Mr. Justice A. L. Smith.) You are right, Sir Charles; it will not prove there was malicious injury, I agree with you; but the point is, whether it is evidence, "I made a claim, and I said it was malicious injury." Whether it was malicious injury or not is a matter *aliunde*.

(Sir C. Russell.) If it is not evidence from which the court is asked to infer the fact, how is it material?

(The President.) It is material to know what was taking place in this district at the time, and amongst other things, what claim was preferred by this man in respect to his cattle.

(Sir C. Russell.) Can it be said, with respect, that one of the things taking place in the district was the suspicion or opinion which a particular man formed who was going to make a claim for compensation for cattle that he had undoubtedly lost?

(The President.) We shall see upon what ground.

(Mr. Murphy.) What was the claim?

(Mr. Lockwood.) Might I also add a word to what my learned friend has said? I think we gathered from Mr. Beauchamp yesterday that the claim took the form of a written information.

(The President.) Yes.



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[Continued.]

(Mr. Lockwood.) I think that was so.

(The President.) I requested that if there were any such they should be produced.

(Mr. Lockwood.) I will only ask this, if the claim is the subject of a written information, surely the best evidence we can have of that is the information.

(The President.) Mr. Lockwood, your objection is a very good one, but that is a totally different one from that which was taken by Sir Charles Russell.

(Sir C. Russell.) Certainly that is an addition to it.

(The President.) That I will listen to. If there was a written claim I should require it to be produced.

(Mr. Lockwood.) I hope I am not understood as not acquiescing in the objection of my learned friend Sir Charles Russell.

((Mr. Justice Smith.) No, you have two points.

(Mr. Lockwood.) I have two.

(Mr. Justice Smith.) If one is a good one, that will do for you.

(Mr. Lockwood.) Well, I do not know, my Lord, I would rather have Sir Charles', if I may.

(The Attorney-General.) I should like to say, with regard to this matter, of course we thoroughly appreciate my learned friend's objection, that if it is in writing we ought to get the documents, and we will. I only desire to say one word in reference to the suggestion made by my learned friend that it is not material. These were claims which were investigated at the time. They were claims made and not paid simply because a man chose to say so. Therefore the circumstances under which the claim was made may be very material.

(The President.) I pointed that out yesterday, and I thought it was settled.

6078. (Mr. Murphey.) Had you a tenant of the name of Keane?—No.

6079. I think it was not you?—No.

6080. Was your claim made in writing?—Yes, it was an information sworn before a magistrate.

(Mr. Murphy.) That being in writing, my Lord, I acquiesce that that is a good objection.

6081. What was the place where you made your claim for the loss of the sheep—what petty sessions?—At the Clifden. It was made on a sworn information before a magistrate. It was a notice which was required to be served.

6082. What was the name of the constable who investigated the matter?—I cannot say now.

6083. You cannot recollect him?—No.

6084. Do you remember what was the name of the sergeant who was in charge there at the time?—I cannot tell you.

6085. We must endeavour to trace it as best we can. Was there anything done to any other of your cattle?—Yes, there was—in the last week in October 1879.

6086. What was that?—I had some cattle grazing on the farm of Derryinver, and my herd reported to me that, on a certain morning—

(Sir C. Russell.) I object again to this report. I will point out to your Lordship respectfully that there is no such rule of law, as I submit, that because it is the duty of a person to make a report to another, that that report is evidence. There is only one exception to the general rule in this regard, as I submit, as to the admissibility of evidence, and that is when it is the duty of an agent, in the course of the discharge of his business, to make a written entry or report, and, if that agent is not available as a witness—is dead or otherwise—the cases have decided that that entry so made in the discharge of his duty is admissible evidence of the fact recorded, if proved to be done in accordance with his duty. I submit there is no known rule of law to admit statements which are merely verbal statements of an agent, even if made in discharge of his duty.

(The Attorney-General.) I respectfully submit that my learned friend has for the moment forgotten the rule that the *res gestæ* may be proved, and if we were dealing with cases of accidents or collisions, if in the course of the proof of the facts, servants have made communications in regard to the actual fact, those are part of the *res gestæ*, not for the purpose of throwing guilt upon any particular individual, but for ascertaining what were at the time the circumstances under which the particular occurrence took place.



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[Continued.]

(*Sir C. Russell.*) That is, of course, a fresh and entirely different ground, which, of course, implies that my learned friend cannot meet my objection of the ground on which your Lordship was first supposed to rule.

(*The Attorney-General.*) I beg your pardon.

(*Sir C. Russell.*) Now, as regards its being part of the *res gestæ*, what is the *res*? The *res* is that certain cattle, I presume, were injured. How is it part of the *res gestæ* of that, that that man who saw the injury, was present at the injury it may be, afterwards made a statement to some third person about what he had previously seen. I submit that to say this is part of the *res gestæ* is an entire misapprehension of what the rule is.

[*Their Lordships conferred.*]

(*The President.*) As this objection has been taken in a formal manner and argued, we think that it would be right that we should consider it further, and that in the meantime the evidence should proceed without referring to statements made by other persons. We will give a definite opinion upon it at a later time.

6087. In consequence of something that was said to you, Mr. Smith, did you go to investigate the place where it was said that these bullocks were?—I did.

6088. Did you see any of them?—No, not at that time.

6089. How soon afterwards, if at all, did you see any?—About a week or 10 days afterwards I saw one.

6090. One of your missing bullocks?—One of the five missing bullocks of that morning.

6091. Where was it?—I saw it on my own farm.

6092. On the farm, or where?—On the farm.

6093. Were there any marks on it that you could see?—No, there were no marks at the time.

6094. I do not know whether you know in that case what was the name of the sergeant who investigated the matter—Sergeant Kavanagh I suggest to you?—I daresay it was Sergeant Kavanagh; he was the sergeant in charge of Letterfrack barracks at the time.

6095. Was he the sergeant who was afterwards murdered?—Yes.

6096. At all events, were five of your cattle taken off the farm?—Five of my cattle were taken off the farm.

6097. And one you say afterwards?—And that one was got; I did not see it got; it was reported to me.

(*Mr. Murphy*) I am afraid I cannot have what was reported to you at present.

(*Sir Charles Russell.*) I do not ask you anything.

(*Mr. Murphy.*) My Lords, I have no further witnesses in this case, The objection of my learned friend prevents my calling them at present. There is one more I had forgotten—John Keen.

JOHN KEEN sworn; examined by Mr. MURPHY.

6098. Were you a herd in the employment of Mrs. Blake at Renoyle House?—Yes.

6099. How long had you been in her employment in April 1881?—During all the time I was working. I started at eight years old.

6100. Since eight years old you were working for the family?—Yes, during the time.

6101. Were you there when the agitation began about the rent?—Yes.

6102. Were you present when a number of tenants came to call on Mrs. Blake?—Yes, I was at the house at the time.

6103. About how many of them came?—I could not know what number, the whole tenants came up, at the present time I could not mention what number.

6104. After that was anything done to Mrs. Blake in the neighbourhood. Did the people deal with her as before or not?—I could not know, but she was annoyed for working, for her harvestin, gand so on.

6105. Do you know what the meaning of boycotting is?—I do not, sir.

6106. You do not know the meaning of boycotting?—I have not got English to speak, your honour.



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[Continued.]

6107. Well, what do you call it, do you call it boycotting?—Yes, they will not do anything for us.

6108. Was anything done to Mrs. Blake that you recollect after this, after she refused the reduction of the rent?—I do not really know anything. I know all the time she was annoyed about all things. All I know was about my own business, that is all.

6109. Do you remember one night when your house was attacked?—Yes.

6110. Tell us what happened then?—Well, some time of night they broke in the door, and some of them came to the room and dragged my son out of bed, and after that the wife called them and begged them not to injure the son, and so on; and then I got up and hid myself in the room under the bed.

6111. Where did you hide?—Under the bed, sir, where I was sleeping.

6112. What did they do to your son?—I could not know really about anything. I lay where I was, because I was listening to the voices of them.

6113. What did your wife say to the men?—She said at the present time not to do anything to her son; the little boy did not do anything to injure anyone.

6114. What were they going to do with your son?—I could not tell really; they took him out of the bed. He was asleep.

6115. Was anything said as to what you were to do?—They said if I would not give up herding, they would come again to me. If I would give up the herding, I would be saved for anything.

6116. Did they say anything about O'Neil's sheep?—I was not herd at the time, and I am not responsible for that business.

6117. Can you tell me the date when that occurred?—I could not know; I am not a scholar. I beg your pardon, sir, I consider it was in 1881.

6118. Do you recollect anything more than that. I suggest the 8th of April. Was that the date; do you recollect whether it was on the 8th of April?—I do not.

6119. Did you tell the police the next day?—I did, and went to Mrs. Blake. I go to her house in the morning, and tell all things to her, and the police.

6120. Did I understand you that you knew nothing about Blake's sheep being drowned?—I do not. I do not know anything about anything at all. I was only working for Mrs. Blake.

#### Cross-examined by Sir CHARLES RUSSELL.

6121. On the 8th April, when these men broke into the house, they did not injure your son I hope?—No.

6122. Did you know any of the men?—Indeed I did not.

6123. You did not?—No.

6124. What age was your son?—He was about 16—he was not more than 16 at the time—this son about 14 or 15 years.

6125. He would know all the neighbours, would he?—He did not know anything. I tell you he had no light. He was brought forward about things before, and he could not make anything of them, and he did not know any of them.

6126. Have you any land?—I was attending to Mrs. Blake.

6127. Have you any land?—Land?

6128. Do you farm any land?—Yes.

6129. How much have you?—About three or four acres.

6130. And what family have you?—I had a large family, about six of them now, but I have had more than that all the time.

6131. What wages have you as herd?—I was herd for Mrs. Blake, and herding to another place, and I had to supply men coming here.

6132. What wages did you get for your herding?—So much a year I got.

6133. How much?—Up to 14*l.* a year.

6134. Did you say 14*l.* or 40*l.*—14*l.* a year?—Right.

6135. Do you recollect your neighbours coming to demand the rent reduction, do you recollect your neighbours coming to Mrs. Blake to ask for a reduction in the rent?—I remember them coming round the house.

6136. You knew all the men that came; you know the tenantry?—I could not know them, there was so many of them. She knew them better than me.



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[Continued.]

6137. But they were neighbours of yours. You knew a good many of them about the country?—May be I knew, but there were so many of them in it, I could not give you any.

6138. Were they hard-working men?—Certainly; they were the tenants.

6139. Did they need a reduction; were they badly off?—Oh! well, in places in the neighbourhood they were expecting a reduction like in every part of the country.

6140. Had your potatoes failed in that year, 1879?—Indeed, they had.

6141. Had they failed in the country generally?—Yes, indeed.

6142. Was there a good deal of distress in your neighbourhood?—Yes, indeed, at the time certainly there was.

6143. Did you get any relief?—No, indeed, I did not. I was with Mrs. Blake, and she was relieving me.

6144. You got relief from Mrs. Blake?—Yes, she was paying me and keeping me going. That is all the friends that I had at the time.

6145. Was there a committee giving relief at Letterfrack?—Certainly, we got some.

6146. Did you get some of the relief from the committee?—I suppose I did. The latter end of the year I got some, but at the present time when I was hard up in the spring I did not get none.

6147. You were hard up in the spring, and did not get any?—No, that was the worst time.

6148. And you wanted it to seed your ground?—I did.

6149. And you were badly off for it?—I was indeed.

6150. Were your children at this time able to do anything for themselves?—Indeed they were not; they were weak, except one, that is all the help I had, this little boy.

## Cross-examined by Mr. Lockwood.

6151. What is your age, Keen?—Indeed, I am close on 70 years.

6152. How old is your eldest son?—My eldest son is going now about 23.

6153. Is he living in Ireland?—No, he is in a foreign country.

6154. Gone to America?—Yes.

6155. Your second son, how old is he?—He sends me something.

6156. Your son in America helps you, does he not?—He went away and he is making a living for himself.

6157. Since he has been away has he sent you money from America?—Well, not much. I did not hear from him for two years ago now.

6158. He has not sent you any for two years?—No.

6159. Do you mean he has not sent you any for the last two years?—I do.

6160. But before that he did?—He did.

6161. Is he the only son you have in America. Have you more sons than that one in America?—No, only one.

6162. Do any of your other sons live with you?—Yes, the whole of them.

6163. And do they help you in herding?—Certainly they do.

6164. I suppose they do not get paid anything in addition to what you get paid?—We divide it, you know, according as we are able by our means. We go together.

6165. I mean you cut up the 14*l.* amongst you?—Yes, 12 months.

6166. I mean the 14*l.* you get every 12 months you divide amongst you?—Yes.

6167. How many of you have got to live out of that 14*l.*?—That is all I can do.

6168. I am not blaming you for that; I want to know how many of you have to live out of that 14*l.*?—I have seven in family, the children and the wife and myself.

6169. Your wife and yourself and seven children?—Yes.

6170. With regard to your land, what land have you?—I have my holding, where I was lately, at a former time, but I had to part with that this time two years ago. I have a holding still, and I am paying the rent to Mrs. Blake.

6171. Out of the 14*l.*?—Yes.

6172. How much was the rent that you had to pay?—The rent is now about 2*l.* 17*s.* or something like that.

6173. What used it to be in 1879. What rent were you paying in 1879, how much?—Well, I was paying 3*l.* and something.



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[Continued.]

6174. Just think. How much was it you were paying in 1879?—Three pounds.

6175. Three pounds and what, how much?—For the rent.

6176. Three pounds and something, what shillings?—Eight shillings, I guess.

6177. That you paid out of your 14l.?—No, I tell you, your Honour, Mrs. Blake was paying me at that time. She was paying me so much a year.

6178. So I gather. How much was she paying you a year then?—She was giving me 14l. in a year, and I would be able to work, so I had every year, you know, 20l.

(*The President.*) He either says 14l. or 20l., I cannot catch it. Then the question is what land he held for this 3l. 8s. I fancy he said something about being employed.

(*Mr. Lockwood.*) I think I have an explanation which will account for the word 20l.

6179. You mean in addition to acting as herd, you were sometimes allowed to earn more money for yourself if you could?—Yes.

6180. How much could you earn in a year in that way do you think. In a fair year?—I cannot really understand.

6181. Do you understand what I mean?—Badly, sir.

6182. Just take your time. I will put the question again to you so that perhaps you will understand it. How much altogether could you earn in a year?—Maybe I would have debts in the shops and all places.

6183. I can understand that under the circumstances, but can you tell me how much altogether you think you would earn in a year—how much money would you make in a year?—Well, more than that I cannot say.

6184. When you were working for Mrs. Blake, and working also for yourself, how much could you earn in a year?—Maybe at the latter end of the year I might earn some more money. I have nothing much at all except the living and the money, that is all.

6185. I am not suggesting you ever saved any money. I rather gather that you thought I was suggesting you were amassing a fortune, I am not suggesting you saved anything under the circumstances, but how much do you think you got paid a year for your work. How much did you get a day?—A day? according to how the wages is going—a shilling a day.

6186. What would be about the amount you could earn in a day?—Not more than 1s.—that is it.

6187. And taking that as being the amount, what would be about the least you would earn in a day when you were working?—The highest that was going in the county was eighteen pence.

6188. I understand you to say that so far as you were concerned your top wage was about 1s. a day?—Yes.

6189. What was the lowest?—That is all, 1s. a day.

Cross-examined by Mr. TIMOTHY HARRINGTON.

6190. My leader is absent, my Lord. I wish to ask a few questions. Do you remember the famine yourself; do you remember the famine?—I do.

6191. You lived down in that district in Connemara during the famine, did you not?—Yes. I was there since I was five years of age.

6192. I suppose you saw very many bad things happen there during the famine?—Oh, indeed; God forbid we should see much more of it.

6193. Did you see many people die of starvation there at that time?—I did, sir; many.

(*The President.*) What era are you referring to?

(*Mr. T. Harrington.*) 1847 and 1848; the famine years.

6194. You know what brought that famine about, John, do not you?—Yes.

6185. You know what the famine came from?—Well, some of it.

6196. What crop was that failed for the famine?—The potatoes; they failed at that time.

6197. And the potatoes were the only food the people were eating there at the time?—Yes, at that time; the only thing at that time.

6198. And I suppose it is the chief food that they are eating still?—Yes; if they cannot keep themselves, they are glad to get that.

6199. In 1879 was there a great failure of potatoes down there in the district?—There was, indeed; but not any great things.



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[Continued.]

6200. Had you half the potatoes in 1879 yourself that you had in 1877—two years before?—I had.

6201. Had you half as much potatoes on your own bit of land in 1879 as you had in 1877—two years before?—That has happened again many times since the famine came, in those two years past.

6202. Do you mean 1878 and 1879?—Yes.

6203. Those were the worst years, I think, since the famine?—Yes, indeed.

6204. The people there, I believe, could not get any out-door relief from the board of guardians, do you know. Did any of them ask for out-door relief?—Some of them were getting it.

6205. Out-door relief from the board of guardians. Did they get it?—Certainly, some of them got it. I do not know anything about it.

6206. From whom do you mean that they got relief. Some of them got relief from whom?—From the board of guardians, and so on, and I see a steamer going about and giving the seed.

6207. Is Father McAndrew your parish priest?—He was, but now in the parish it is Father Linsky.

6208. Your parish priest man?—Yes, my parish priest man.

6209. Father McAndrew was the parish priest?—Yes, during the time he was away and back again in the first place.

6210. I believe he was giving out a good deal of relief?—He was, indeed.

6211. What was his curate's name?—There were so many of them, do you see?

6212. Father Connolly—was Father Connolly there?—No, not now.

6213. O'Connor?—Father O'Connor.

6214. He was helping the parish priest in giving out the relief?—Yes.

6215. Do you know anything about the Land League that was formed there afterwards?—I could not give out anything, thank God. I had not anything to do with that at all.

6216. Can you give me the name of any other men who were helping the priests in giving out relief at that time?—There were many of them.

6217. Tell me a respectable man there who was helping the priests?—I saw the Hon. Mr. Burke.

6218. He was helping them?—Yes.

6219. Anybody else?—I could not mention their names.

6220. Were any of the shopkeepers or farmers there helping?—They were getting notes from them to the shopkeeper. That is the way it was going.

6221. You said something about your earnings in the year. I suppose it is only in the harvest that you earn anything, that you were allowed to work for yourself?—Yes, sometimes any days I would be able to get time.

6222. During the harvest?—In the spring.

6223. Was it during the harvest, or was it in the spring you worked?—Both of them; a few days in the harvest and a few days in the spring I was working for the master. He could not say his time belonged to himself.

6224. Do you remember the day when all the tenants came round to Mrs. Blake asking for the reduction?—I do. I was down there working.

6225. Were you present when the tenants came round there?—Indeed, I was.

6226. You saw them?—I did.

6227. Did you hear anything that they said?—Well, indeed, I did not. I was not so close to them. I was doing my work about the house.

6228. You did not hear any one of them say that he had his rent, and that he would not pay it?—I heard it by others.

6229. But you did not hear any of the tenants say that to Mrs. Blake?—Her royal Honour herself told me.

#### Re-examined by the ATTORNEY-GENERAL.

6230. Just listen to me. You told me you had been herding for Mrs. Blake ever since you were there?—Yes, and all the family.

6231. Were you on good terms with her?—Certainly I was. I was on good terms.

6232. How much land had you—how many acres about?—I could not really tell you the number of acres I had.

6233. About?—About four acres.



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6234. Had you any cattle?—No.  
 6235. What did you do with the land?—Sowing it.  
 6236. What work had you to do for Mrs. Blake—herding the cattle?—Herding the farm.  
 6237. Who used to help you to herd it—your children?—Yes, any that were able to.  
 6238. Any that were able enough, used to watch the cattle?—Yes.  
 6239. And if you had somebody who could help you, you went away to work?—Yes.  
 6240. What was the total amount you earned in the year, do you suppose, for wages?  
 —I cannot give an account for the time.  
 6241. Up to the time of the people visiting your house, had you got along pretty well?—I did.  
 6242. Contented with your employment?—I could not say about any one of them.  
 6243. You were contented with your employment?—Yes, I had my liberty as well as ever.  
 6244. About the relief. Do you know of the people who got relief in the neighbourhood?—The whole of them—I believe the men that did not need it maybe got more than the poor men.  
 6245. Do you know whether anybody who kept a jaunting car got it?—I do not know anything about it. I was not walking in Connemara at that time.  
 6246. Or whether anybody who kept horses got relief?—I do, indeed.  
 6247. Do you know whether anybody that had got sheep and cattle had relief?—Certainly they did.  
 6248. Strong people?—Yes.  
 6249. Do I understand you to say that strong people as well as the weak people got some relief?—Well, they were entitled to get it. They could not all work.  
 (Mr. Murphy.) Those are all the witnesses in this case that we have here to-day.

AMBROSE ELLIOT H. ONAN sworn; examined by Mr. ATKINSON.

6250. Where do you live?—Whitegate, in the county of Galway.  
 6251. What town is that near?—It is near Woodford and Clancoe.  
 6252. How far is it from Woodford?—About six miles to go the short cut.  
 6253. What business do you carry on?—The business of a general merchant.  
 6254. Are you also the postmaster?—Yes, and clerk of the petty sessions.  
 6255. Have you the post office in your trade establishment?—Yes.  
 6256. How long have you been carrying on trade there?—Something near about 21 years.  
 6257. Was there a Land League branch established in Whitegate?—About 1879 or 1880, I think.  
 6258. Have you any land?—I have.  
 6259. Had you this land in your hands at the time the Land League was established?  
 —Some of it. I had more of it I got in 1882.  
 6260. Do you know a man of the name of Pat Rodgers?—Yes.  
 6261. Was he a tenant living near Whitegate on the property of Dr. Cogan?—Yes.  
 6262. Was he evicted?—He was in March, 1882.  
 6263. Did any person go to live in the house upon his land after he was evicted?—  
 A ploughman named Michael White for the landlord.  
 6264. To take care of Mr. Rodgers' farm?—As a general workman he put him into the house.  
 6265. Do you know a man of the name of Terry Manogue?—Yes, he is since dead.  
 6266. What was he?—A farmer on the same property.  
 6267. Did Manogue take any of the evicted land?—He took about an acre of bog land belonging to the farm.  
 6268. About what time did Manogue take the land?—About 1882, just immediately after the tenant was evicted.  
 6269. What time did White come?—The same time—immediately after the eviction.  
 6270. I do not know whether you gave me the date of the establishment of the branch of the Land League at Whitegate?—I think it was 1879 or 1880.  
 6271. The Land League was established there?—1879 or 1880, and the National League later.



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[Continued.]

6272. When was the National League established?—It was either in 1884 or 1885. I am not quite sure, either years. The constable, I suppose, will be able to tell you.

6273. Had either of these men been in the habit of dealing with you, either Michael White or Teddy Manogue, up to the year 1885?—No, not as regular customers, unless very rarely.

6274. Up to 1885, were you on good terms with all your neighbours?—On the very best of terms.

6275. Had you a considerable number of customers?—I had a very large business.

6276. (*The President.*) I did not catch what your business was?—General draper grocery, and provision business.

6277. (*Mr. Atkinson.*) About the month of November 1885 did you supply things to Manogue and White?—I did.

6278. About what time in November 1885 was it?—I fancy it was about the 25th November 1885—that is about the time—I am not exactly sure of the exact date.

6279. Where did you supply Manogue with the goods?—White came to me for the goods on this 25th November 1885.

6280. Do you remember whether White was accompanied by a policeman?—A policeman came with him to my house.

6281. When did you supply Manogue with the goods, and where?—At my house.

6282. Do you remember whether he came with a policeman?—I think not.

6283. Shortly after you supplied these men with goods in November did you discover any falling off in your business?—On the Sunday, 29th November, there was a report that I was boycotted by the League, in the chapel.

6284. (*Sir Charles Russell.*) Were you there yourself?—I never attended any of the meetings.

6285. (*Mr. Atkinson.*) On the Sunday succeeding the day you supplied the goods there was a falling off in your customers?—On the following day scarcely anybody came to my shop.

6286. Did that continue?—Yes, and it has continued up to the present time more or less.

6287. Has your trade at all recovered?—Oh, not at all.

6288. People coming to the post office on business, they are obliged to come to your shop?—Yes, for letters, of course.

6289. On the occasion of their coming for letters do they take advantage of that to get something?—They have repeatedly.

6290. But they do not come for goods unless they have business at the post office?—Well, some do; those who have sympathy of course, but not publicly, or they would be boycotted themselves.

6291. They would be boycotted?—Yes, at least they may be.

6292. Do they take them by night?—During the course of the day and by night. They are in great terror of the boycotting.

6293. Who was the president of the National League at Whitegate?—I cannot say who is the president at present. But at the time I was boycotted, the Rev. Mr. Horan, the parish priest, was.

6294. Who was the secretary?—That is from hearsay, I cannot know, the treasurer was one John Macdermott, the poor law guardian.

6295. Did you ever go before the Land League yourself?—Oh, never; that is what annoyed them, I think.

6296. Were you ever summoned before the Land League?—No, never, but I had indirect messages if I went before the League, and stated my case, being a Government official —

6297. Wait a moment. Whatever those messages were, did you communicate with the president?—Oh, never. The president knew of the fact of my being boycotted.

6298. Did you speak to him about it?—I did, and he regretted very much about it.

6299. What time did you speak to him about it?—Just at the time I was boycotted.

6300. Is he friendly?—Yes, and, up to the present, very friendly.

6301. After this falling off in your custom, was anything done to any of your stock?—Yes; my corn was thrown about the field, the coping was torn off the wall, and a valuable little filly of mine was houghed in the fore leg, and I was obliged to kill it, and I got compensation from the grand jury at the assizes for it.

6302. Anything else?—The windows were broken in the dwelling-house,



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[Continued.]

6303. What time was that?—On Easter Sunday 1886 the windows were broken, or at least, the attempt was made to break the windows; the stone fell on the roof over my bedroom, and we prosecuted the man.

6304. (*Sir Charles Russell.*) Then the windows were not broken?—The windows were not broken, but stones fell on the roof of the house.

6305. (*Mr. Atkinson.*) Was anything else done to any of your goods or property?—I do not remember.

6306. Were you able to get your horses shod?—No; as soon as I was boycotted, all the tradesmen refused to work for me. The smith would not shoe my horse.

6307. Did you get a travelling-forge from the police?—I did. I sometimes had to send 25 and 28 miles to have them shod, and then I got a forge that the police had in Loughrea. They came round to the district, and brought the forge into my place.

6308. Did the servants leave your employment?—No, but they were called upon to leave my employment.

6309. But they did not leave?—No.

6310. Your own business has not recovered?—The last time a man of the name of Hogan came to my house for a half ton of artificial manure; the cart was taken, and he asked me would I lend him one of my carts to finish the manure, and I lent him my cart, and in the course of four or five nights after my cart was taken out of his yard, and it was found a few weeks after in eight feet of water in the River Shannon.

6311. Except your having supplied goods to those two men, do you know any other reason why you should have been so treated?—No cause whatever.

6312. You had been a long time living there?—Yes, over 21 years.

6313. And carrying on this trade?—Yes, and I had the confidence of everybody in the locality.

6314. You read "United Ireland"?—A few times. I have seen resolutions of the League in the "United Ireland."

6315. "United Ireland," 29th May 1886, page 7. The reports are from the different branches in alphabetical order. They begin on page 6. That applies to all the editions.

"Whitegate (co. Galway), Rev. U. Hogan, C.C., in the chair. The conduct of  
" Dr. Harry Sampson, of Borriskane, in distributing notices of eviction amongst  
" his impoverished tenantry was severely commented upon. The acts of persons  
" who had brought a travelling forge into the parish were also under discussion,  
" and were unanimously disapproved of."

Does that apply to you?—It does.

6316. You were the only person who had brought a travelling forge?—I was the only one.

6317. On the 19th of February 1887, page 6, column 7.

"Whitegate (co. Galway). Resolved: That we disapprove of the action of a  
" local trader in supplying the emergency men at Saunders' Fort. We also  
" disapprove of the conduct of those men and women who resort to this  
" emergency house, and we pledge ourselves to forward their names to the  
" neighbouring branches."

Were you the person pointed at as supplying these emergency men?—I was; yes.

6318. On the 23rd July 1887, page 6, column 6.

"Whitegate (co. Galway), Irish National League branch meetings, Whitegate,  
" co. Galway. Resolved: That we condemn the police for having torn down a  
" perfectly legal notice, of which the following is a copy:—'Important notice.  
" 'A meeting of ratepayers will be held after last mass to take steps to prevent  
" ' Archibald E. Honan from getting 25*l.* for a foal six months old from Galway  
" ' grand jury on to-morrow. Rack-rented farmers look to your pockets.' And  
" in the opinion of this meeting such conduct was as illegal as the arrest of Miss  
" Cass."

Had that reference to the filly of yours that was maliciously injured?—It was.

6319. The reference is made to the forge there. Up to this time had you any difficulty whatever in getting your horses shod where you lived?—I had no difficulty until I was boycotted. The man had been working for me for 20 years, nearly.

6320. Did you send them to that man to have them shod?—I sent them to that man to have them shod, and they were returned. They were brought back again; he would not let them into the forge; and the local baker also refused to supply me with bread.



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[Continued.]

6321. How long had he previously supplied you?—For 20 years.

6322. Were you refused provisions by any other local tradesmen?—Well, I did not, require any other provisions in the locality, because I got all my supplies from Limerick, being in the trade; but the baker used to deliver three times a week to me and as soon as I was boycotted he refused.

6323. Did the demeanour of the people change towards you?—Well, with some, but not generally.

6324. Had you a communication with the president, the Rev. Mr. Horan, in reference to this?—He was speaking to me; we were speaking to each other about it, of course.

6325. Did he show you a communication from Mr. Harrington?—He did.

6326. Mr. Timothy Harrington?—Yes, I read it.

6327. In reference to this matter?—Yes.

6328. Did you get the letter from him?—From Mr. Horan I did.

6329. Did you read it?—I read it, and returned it to Mr. Horan. I read it in his own house, in fact.

6330. You returned it to him?—I returned it to Mr. Horan again.

6331. What was in it?—

(*Sir Charles Russell.*) No, no.

(*The Witness.*) It was to the effect that the action—

(*The President.*) Wait a moment.

(*Sir Charles Russell.*) I would prefer the letter, my Lord. That is my objection.

(*The President.*) Horan showed him a letter.

(*The Attorney-General.*) We cannot take it further than that at present.

(*Mr. Harrington.*) As my name has been mentioned, I do not object to the contents of the letter being given.

(*The President.*) Very good.

6332. (*Sir Charles Russell.*) You can get the original, I presume?—I did not keep it. I returned the letter to Mr. Horan.

6333. (*Mr. Atkinson.*) At all events, you gave it back into the hands of the chairman of the local branch of the National League?—Yes; he was chairman at that time, or president.

6334. About what date was it?—It must have been about January or February 1886, I think. As well as I remember, I think it was very likely in January 1886.

6335. Was it after the boycotting began, at all events?—Yes, after the boycotting some few months.

6336. Do you remember the substance of it?—Well, the substance of it, as far as I remember, was that Mr. Harrington, in reply to Mr. Horan, said he considered the action of the League rather inconsiderate, having regard to the fact that I was a Government official, that I was not as free to act as other traders on the committee, and for him to use his influence, I think, to have the boycotting discontinued against me.

6337. That was Mr. Horan?—Yes, the parish priest.

6338. Mr. Horan, to use it inasmuch as you were a Government official, and not free to act?—Yes, those were the very words; those words were in it.

6339. Did Mr. Horan use his influence?—I understood he did, that he handed the letter also to the treasurer of the League, who was the leading man, John McDermott.

6340. At all events did the boycotting discontinue?—Oh, no. It was in fact more rigorously worked against me afterwards.

6341. What date did you fix for it?—That was about January 1886, I think,

6342. Before any of those three resolutions were passed?—Before any of those three resolutions were passed, yes.

6343. Did you yourself see any notices posted up with reference to you?—I did not see them posted, but I received a threatening letter through the post.

6344. What did you do with the threatening letter?—I handed it to the constabulary. It was warning me at the risk of my life not to. I handed it to Constable Sergeant Clancy, the constable in charge of the district.

Cross-examined by Sir CHARLES RUSSELL.

6345. You followed three different occupations apparently?—Yes.

6346. You keep a shop to supply general goods?—Yes.

6347. And you are the postmaster?—Yes.



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[Continued.]

6348. And you are also the petty sessions clerk?—Yes.

6349. Had you any legal education?—No, none whatever.

6350. When were you appointed petty sessions clerk?—In 1873, in March.

6351. Who appointed you?—The registrar of clerks of petty sessions. I was nominated by the magistrates in the district.

6352. And when were you made postmaster?—I was made postmaster in 1882, but formerly my mother-in-law had the office for some years before that.

6353. And it was continued by you?—Yes, but I acted during 20 years as assistant in the office.

6354. Will you kindly tell me the dates of these outrages that you speak of. You say that at Easter 1886 stones were thrown at your house, but your windows not broken?—The drawing-room window was broken on that night—Easter Sunday night.

6355. What was the date of your corn being thrown about?—I do not know the exact date, but it was either the latter end of August, or very early in the month of September 1886.

6356. And was it at the same time that the foal was injured?—On the 28th November following.

6357. 28th November 1887?—1886.

6358. The following November?—Yes.

6359. What compensation did you get?—20l.

6360. What was the age of the filly?—Six months. It was a very valuable filly.

6361. Did you get this travelling forge for use by the emergency men?—It was a constabulary man that was working the forge when it came to the yard to me.

6362. Then you did get it for their use?—Yes.

6363. Was it used at a place known as Saunders' Fort?—Yes, it was quite convenient to that—about four miles, perhaps, from Saunders' Fort, where I live.

6364. That was where the Clanricarde evictions were being carried out?—Yes.

6365. Saunders being himself, I think, an evicted tenant?—He was.

6366. And the men who have been called in the course of this case by the name of the "emergency" men were in possession?—They were in possession.

6367. And were there for the purpose of carrying out further evictions, if the landlord wanted?—I cannot say that.

6368. And are there still?—I think not at present. I do not think there is anyone at Saunders' Fort at present.

6369. Are there no emergency men at all?—I think not.

6370. Do you not know, rightly or wrongly, I am not saying whether——?—My belief is there are no emergency men at Saunders' Fort at present.

6371. I have left that point. I have taken your answer. Do you not know?—No, I do not know, for a fact, that there is anyone.

6372. I am leaving emergency men—kindly attend. Do you not know that, rightly or wrongly, with cause or without cause, that the reason of your unpopularity was the fact of your dealing with the emergency men?—No, because I had not supplied any of them at the time I was boycotted.

6373. Your boycotting to begin with. I will ask you that in a moment. Still I must ask an answer to my question. Do you not know that that was the main cause of your unpopularity?—I do not.

6374. Rightly or wrongly?—No.

6375. Can you suggest what was the main cause?—The main cause was for supplying White and Manogue.

6376. That is originally?—Originally, in November 1885.

6377. That was the original cause?—That was the original cause.

6378. Then after that you supplied these emergency men?—Yes, on the date I have mentioned, somewhere about January.

6379. The baker who supplied you three times a week——?—He has refused to supply me.

6380. Where does he live?—He lives at Scarriff, in the county of Clare, within six miles.

6381. He lives not in Whitegate?—He lives not in Whitegate, but he supplies bread to all the local traders.

6382. He does not live in Whitegate?—No, he does not.

6383. He has nothing to do with the local Land League or National League at Whitegate?—No.



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[Continued.]

6384. He lives at a different place and a different town?—Yes.

6385. (*The Attorney-General.*) What was his name?—George C. Sparling, of Scarriff.

6386. (*Sir Charles Russell.*) You have told us that the president of the League was the Rev. W. Horan, parish priest?—At this time, yes.

6387. And the treasurer you believe was John McDermott, who was a poor law guardian?—From hearsay. Of course I know nothing of the League myself.

6388. You have said so?—Yes, I understood he was the treasurer.

6389. Were they the two most important men as far as you knew in the League?—No, I do not think so. I do not think Mr. Horan was very active.

6390. Who do you say were the most important men?—The most important men I think were John McDermott, and a man named William Burke, and one Peter Madden. I think those were the three.

6391. Did you ever speak to McDermott about the boycotting?—Never.

6392. Or to Madden?—Never.

6393. Or to Burke?—No.

6394. You did speak to Mr. Horan?—Yes.

6395. Is it not a fact that Mr. Horan said that he condemned it and would express his views at the branch of the League?—No, he never said that; he was sorry for me being boycotted and placed in the position I was.

6396. He expressed his sympathy with you?—He did, and most of the people of the district outside—the committee of the League.

6397. Let me remind you; do you not know that in addition to that letter to which you have been allowed to make reference that Mr. Harrington exerted himself to put down the boycotting?—No, not beyond that letter; I knew nothing about it.

6398. No other letter?—No, not that I am aware of.

6399. Did you ask a friend of yours to see Mr. Harrington?—I did.

6400. Did not your friend report to you that Mr. Harrington was most anxious to put it down, and had condemned it?—He said he had written a letter to Mr. Horan.

6401. Did he convey to you that Mr. Harrington had condemned it and was anxious to put it down?—He said he wrote a strong letter to Mr. Horan. That is all I heard, and I have given you the purport of that letter.

Cross-examined by Mr. LOCKWOOD.

6402. You have spoken of your interview with the president of the local branch, Mr. Horan. When did that interview with him take place?—I daresay Mr. Horan was in my house immediately after, and expressed his sympathy with me. I did not ask his interference or anything with the League.

6403. Would that be in November 1885?—Yes, or December 1885.

Cross-examined by Mr. HARRINGTON.

6404. You made some reference to the church. You did not mean that any mention of your name had been made in the church?—I was boycotted where they held the meetings.

6405. Not in the church?—They held meetings in the sacristy of the church.

6406. That is where the usual parochial meetings of any kind are held?—The Roman Catholic chapel. It was then removed to a house opposite my house. They held them there for a long time.

6407. Do you know whether Horan called upon you on more than one occasion?—I do not know that he did more than once.

6408. And you have no knowledge whether more than one letter of the same purport was sent?—I never heard of another coming.

6409. You did not hear of any communication threatening the branch with dissolution if they did not put an end to the boycotting?—No. If it had been received, Mr. Horan would have told me, I think.

Cross-examined by Mr. BIGGAR.

6410. Have you ever seen an advertisement in any English paper stating that no Irish need apply for situations?—I have not.

6411. You have not heard of it?—I have heard of it; but, of course, I have never seen it.



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6412. Have you ever read in any Dublin paper, or any Irish paper, any advertisement for a person to fill a situation, that they must be Protestants?—No, I have not.

6413. You have not heard of that?—I have never read it, that they must be Protestants, never.

Re-examined by the ATTORNEY-GENERAL.

6414. I want to ask one question about this man Sparling. I understood you he was a baker that came three times a week?—Yes.

6415. Did he supply other people in the place besides you?—All the rest of the traders.

6416. Did you know of his refusing to supply anybody except you?—None.

6417. Do you know whether there was a Land League at Scarriff, or not?—There were two branches of the League, I heard, in Scarriff.

6418. (*Mr. Lockwood.*) You heard?

(*The Attorney-General.*) I ask, as far as you know, was there a Land League at Scarriff?—Yes, as far as I know.

(*Mr. Lockwood.*) I only wanted to know whether it was so or not.

6419. (*The Attorney-General.*) Do you know, by repute, whether there was a branch at Scarriff?—By repute I know there was a branch at Scarriff.

Sergeant THOMAS CLANCY sworn; examined by Mr. ATKINSON.

6420. Are you a sergeant in the Royal Irish Constabulary?—Yes.

6421. Were you stationed at Whitegate in the year 1882?—Yes.

6422. Had you been there some time before that?—Yes.

6423. Are you there still?—Yes.

6424. Do you know the locality well?—Yes.

6425. Do you remember a man named Rogers being evicted?—Yes.

6426. Do you remember a man named White being put in to take care of the farm for the landlord?—Yes.

6427. And a man named Minogue?—Yes.

6428. Were you looking after these men, protecting them?—Yes.

6429. When did the protection begin?—In 1883. Some time early in 1883.

6430. How long had White been in possession there before the police protection began?—About three or four months.

6431. When was the Land League established in Whitegate?—In April or March 1884.

6432. 1884?—Yes.

6433. Are you speaking of the Land League or National League?—Oh, the Land League since 1882, early in 1882.

6434. Were there meetings held of the Land League in Whitegate?—No, not meetings.

6435. Were there committee meetings?—No.

6436. Were there meetings of the committee?—No, not until the National League was commenced and established.

(*Mr. Lockwood.*) I think my learned friend is rather assuming a Land League organisation there in 1882. I did not know whether the witness said so.

(*The Attorney-General.*) The last witness said there was a Land League in 1882. The early part of 1882, he said, and a National League afterwards.

(*Mr. Lockwood.*) No, I think not. The last witness only spoke of a National League in 1884 and 1885.

(*Mr. Atkinson.*) That is not so.

6437. When was the Land League, as distinguished from the National League, established in Whitegate?—In 1882.

6438. What time in 1882?—In March or April, I could not say which.

(*Mr. Lockwood.*) It is my mistake. The last witness did allude to the Land League in this district, though he does not give the same date.

6439. (*Mr. Atkinson.*) How long had White been in possession before the establishment of the Land League?—About two or three months.



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[Continued.]

6440. Was he protected then?—Yes.
6441. Was he protected in the interval between the time he went in there and the Land League was established?—Yes.
6442. When was the National League established?—In April 1884.
6443. Were there any public meetings held by the Land League in Whitegate?—No.
6444. Were there any meetings of the committee of the Land League held?—Yes.
6445. After the National League was established were there public meetings held?—Not public meetings.
6446. Still, committee meetings?—Yes.
6447. Have you attended meetings of the committee of the National League?—Not in the houses. I would not be allowed to enter the houses.
6448. But have you watched the people going in?—Yes.
6449. Have you seen who were in the habit of frequenting them?—Yes.
6450. Have they a room in which they hold these meetings?—Yes.
- (Mr. Lockwood.) You are speaking now of the National League?
- (Mr. Atkinson.) Yes.
6451. Is that in your handwriting (*passing a piece of paper*)?—Yes.
6452. Are those the names of the members of the committee?—Yes.
6453. Whom you have seen frequenting this place?—Yes.
6454. Frequently?—Yes.
6455. John McDermott, John Hogan, Michael Flannery, William Burke, John Kennedy, Tim Manogue?—Yes.
6456. Is he a different man from the man Teddy Minogue?—Yes.
6457. Is he a relative?—A different man altogether.
6458. Michael Holland, James Manogue, Michael Hogan, John Fouhey, Michael Brien, Frances O'Meara, Michael Fogerty, and Peter Madden?—Yes.
6459. Was Peter Madden an active member, do you know?—He was.
6460. And John Hogan. Does he hold any office?—He was supposed to be treasurer. At least I heard so.
6461. Did you know who was secretary?—John McDermott.
6462. Now, while you were protecting White and Manogue, did you bring them to any of the houses of the local traders to get provisions for them?—I did not bring them, but White himself went to Burke's house to purchase clothes, and Burke refused him.
6463. After being refused at Burke's house, did you then bring him to Mr. Honan's?—He went himself to Mr. Honan's.
6464. Did you accompany him?—I accompanied him as far as the door.
6465. Then he went in himself?—Yes.
6466. Was White at this time boycotted?—Yes.
6467. After that did he deal with Mr. Honan?—Yes.
6468. Now, did you ever accompany Manogue to Mr. Honan's?—No.
6469. Or to any of the other places?—No.
6470. Was Manogue boycotted also?—Yes.
6471. (Mr. Lockwood.) What was the Christian name of the Manogue you last mentioned?—Timothy Manogue.
6472. (Mr. Atkinson.) Did you get from Mr. Honan a certain threatening letter?—Yes.
6473. What did you do with it?—I sent it to my officer by post.
6474. What is his name?—Mr. Wade.
6475. Did you also take down a threatening notice that was posted?—Yes.
6476. Where was it posted?—On the road wall in the village.
6477. Did you take copies of those two documents?—Yes.
6478. Are those correct copies?—Yes.
6479. What did you do with the notice, the original?—I also transmitted that by post to my officer.
6480. What is the officer's name?—Mr. Wade.
- (Mr. Lockwood.) We ought to have the original. At present I think I am within my rights in objecting, and I take your Lordship's opinion upon it. You see, my Lord, I have no knowledge of what this is.
- (The Attorney-General.) I agree you are within your right. Let them be identified then, and marked as copies. They are sworn by the witness to be copies of notices he



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[Continued.]

took down. He sent the original to his superior, and kept a copy. We shall have to get back the originals, but I want the copies marked with the witness's name upon it. I have no doubt I can get the originals, but I have not the originals here to-day, because we did not know until the witness came that the documents he had himself taken down—the originals—were not in his possession, and that these were copies he had made. My friend is technically right.

(*Mr. Lockwood.*) I asked my friend whether his position was that the document had been destroyed. If so, I should not have pressed my objection, but as I know they are in existence —

(*The Attorney-General.*) I say I do not know that yet. We thought the officer would bring the originals; when he arrived here yesterday, or this morning, we found he had got copies. Therefore, we were obliged to see the copies, and to see whether we can get the originals or not.

(*The President.*) They are to be produced.

Cross-examined by Mr. Lockwood.

6481. When did you take this list of names?—In March 1884.

6482. You are sure of that?—Yes.

6483. You remember the occasion?—Yes; March or April 1884.

6484. This appears to be written upon the back of some communication addressed to you or to some officer in the constabulary; is that so?—Yes.

6485. There is a date on that of July 1885. Perhaps that may enable you to fix the date more accurately?—It is all right.

6486. It is satisfactory that you should think so?—I took the names down in 1884.

6487. But I understood from my learned friend that those were the names that you had taken down at the time you had seen the people going in?—Yes.

6488. On that piece of paper?—Yes; there were several members of the League Committee.

6489. I am not saying as to whether they are members of the Committee or not.

(*Mr. Lockwood.*) Will you Lordship take the piece of paper in your hand. It may be criticism that is worth nothing, or it may be worth something. It seems to me it is written on a report that was complied with in July 1885.

(*The President.*) On this piece of paper there is written "Crosby Hill, 6th July 1885."

(*Mr. Lockwood.*) Is not there the words "complied with"?

(*The President.*) "Complied with," yes. If you look at it, it is written in a different handwriting. However, he says it is all right. We want to get his explanation.

(*Mr. Lockwood.*) At the time you saw these gentlemen going into the house you wrote that document in March 1884.

(*The Attorney-General.*) He did not say that document, excuse me, Mr. Lockwood; he said he took the names in 1884.

(*The Witness.*) Yes.

(*Mr. Lockwood.*) I am within your Lordship's recollection as to this. My learned friend's recollection and mine do not agree. I understood the witness to say he wrote this document which is produced now at the time when he saw these men going in.

(*The President.*) His words were ambiguous, of course. They might mean that.

6490. (*Mr. Lockwood.*) Did you or did you not write that list of names at the time when you saw these persons attending the committee?—In March or April 1884.

6491. (*The President.*) The question is did you write that very paper?—Yes, my Lord.

6492. On that very paper?—Yes, my Lord, when they were appointed members of the committee.

6493. Now, it is pointed out to you that it has on it 1885. There is "1885" on the back.

(*Mr. Lockwood.*) That is apparently a portion of some official record which was not complied with until July 1885. How did that piece of paper then, which relates to a transaction in July 1885, come into your possession in March 1884?



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[Continued.]

(*The President.*) That is not quite it, Mr. Lockwood. I mean only this: you will see it is a memorandum of something which occurred in 1885, and is in a different handwriting.

6494. (*Mr. Lockwood.*) I have not exhausted it quite. Just look at the back of that paper. Can you read?—Yes.

6495. Do you see the words on that piece of paper, "Complied with July 1885"?—Yes.

6496. Whose writing is that?—It is the head constable's.

6497. Do you suggest that the head constable wrote that upon that piece of paper after you had written the names on it in March 1884?—This was a copy of the names I took down in 1885. It is a repetition of the names.

6498. Now, I am so anxious to see the original document, where is it?—I have not it.

6499. Put that down for a moment. Where is the original document?—I have not it. I knew the names from experience.

6500. You wrote that then from memory?—Yes, I knew them all perfectly.

6501. You wrote that from memory?—Yes.

6502. When did you write it—last week?—Oh no.

6503. The week before?—No.

6504. When?—That was written some time in 1885.

6505. Some time after July 1885?—Yes.

6506. From memory?—Yes; no. When those members were going in to attend the meeting.

6507. Will you please answer my question. Was that document you have produced written from memory after July 1885?—No; when the members were seen going into the League room in 1885.

6508. I think I am entitled to an answer to that question.

(*The Attorney-General.*) Ask him again.

6508a. (*Mr. Lockwood.*) I must press you for an answer to this question. Was that document written by you from memory in July 1885?—Not until I saw the members.

6509. Please answer my question. Was that written from memory, or was it written at the time you saw the men going in?—At the time I saw the men going in.

6510. You stood in the street and wrote them down?—Yes.

6511. With pen and ink in your hand; will you swear that?—I wrote them down with pencil, and then with pen and ink in the barrack.

6512. Will you swear you stood in the street and took the names with pen and ink?—I wrote those with pen and ink in the barrack after going in.

6513. Then that is not the original document?—It is not.

(*Mr. Lockwood.*) The Attorney-General, I am sure, without the slightest intention, is carrying on a conversation which the witness cannot help hearing, as I hear it myself.

(*The Attorney-General.*) You are under a misapprehension; he cannot possibly hear.

(*The President.*) All I can say is I did not hear it.

(*Mr. Lockwood.*) No, my Lord, but I did.

(*The President.*) Yes, very likely.

6514. (*Mr. Lockwood.*) You know you have sworn already that you wrote that paper out in March or April 1884?—1885 I meant.

6515. No, no, no; you swore to me distinctly that according to your recollection you wrote that out in March or April 1884; is that true?—I did; but it is a mistake of mine.

6516. Did you write that document out at the time that you saw the men going into this house?—No, but I took down the names in pencil, and I wrote those in the barrack after returning to the barrack.

6517. You have sworn to me you wrote that out in the street?—Not the document exactly with pen and ink.

6518. But I asked you that question. Do attend. Do yourself justice?—This is a copy.



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[Continued.]

6519. Do attend. Did you not swear to me just now that you wrote that out in the street with pen and ink?—It was a mistake of mine.

6520. Another mistake of yours. Have you made any other mistakes in the course of your evidence, do you think?—No.

6521. You are sure about that?—No.

6522. Now hand it back, please. Where is the document you wrote out in pencil?—I done away with it. I burnt it. I thought it enough to keep one.

6523. Why did not you keep the original?—I done away with it. I threw that in the fire, because I thought it was enough to keep the one that was written with pen and ink.

6524. Do you know all these men?—Yes.

6525. What are they—tradesmen?—All farmers, and one of them is a man who is well known.

6526. Are there any tradesman among them, do you know?—They all have land.

6527. Are they persons of respectability?—Yes, farmers.

Cross-examined by Mr. ASQUITH.

6528. What time was it; was it in 1882 that you went to Whitegate?—July 1880.

6529. Do you say there was a branch of the Land League established in Whitegate at the time when you went there?—No, not till 1882.

6530. About what date in 1882?—It was late in 1882; it was about August or September.

6531. Of 1882?—Yes.

6532. A branch of the Land League?—They carried it on.

6533. That was its first establishment in Whitegate?—They carried it on; yes.

6534. I want to get this quite clear. Was that the date of its first establishment in Whitegate?—Yes, as far as I could learn.

6535. About August 1882?—Yes, as far as I could learn.

6536. Do you know these men, McDermott, Burke, and Madden?—Yes.

6537. What are they?—They are farmers.

6538. All of them?—Yes.

6539. None of them shopkeepers?

(*The Attorney-General.*) I think he said one.

(*The Witness.*) Burke is a farmer and shopkeeper, both.

6540. (*Mr. Asquith.*) What kind of a shopkeeper?—He keeps a flour shop and grocery.

6541. Is not McDermott a miller?—He is a farmer.

6542. And a miller?—No.

6543. Are you sure of that?—No, he is no miller; no.

Cross-examined by Mr. HARRINGTON.

6544. Have you any recollection of the time the Land League was suppressed?—Yes.

6545. What time was it?—September 1887.

6546. September 1887? The Land League?—Oh, the Land League. Well, I do not exactly remember now. I think it was in 1882, if I do not mistake.

6547. What time?—I could not exactly give the date.

6548. Now, about that list of names that was handed in there; that piece of paper. What did you write that for?—To know the names of the members who attended.

6549. To know the names of the members?—Yes.

6550. But did you not know the names every day, as they were attending every day?—I did; but some of them might not happen to attend every day.

6551. Is that the list of men you saw going in on a particular day?—Yes.

6552. On a particular day?—Yes.

6553. Could you fix that particular day on which you saw those men enter the meeting. Tell me that day?—I could not exactly give the date.

6554. Come now, there must be a date to the original document that you burnt? What was the date that was to it. I could not exactly give the date.



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[Continued.]

6555. Was that original document a slip of paper, or was it in your note-book?—A slip of tea paper.

6556. Do you mean to say you brought out tea paper with you, and did not bring a note-book?—Yes.

6557. Now have not you a note-book always in your possession when on duty?—At all times I do not take it out.

6558. When you are going to look for names, do you not think you take it out?—I had not it out on that Sunday with me.

6559. Can you fix that particular Sunday when you had not a note-book and brought tea paper?—I very frequently leave it behind me, and do not take it out with me.

6560. Can you fix the day on which you made that list?—No, I could not exactly fix the day on which I made that list.

6561. Will you swear you saw all those men going into the meeting there on one day?—Yes.

6562. Will you tell us what that one day is?—I could not exactly tell you the date.

6563. Now what did you transfer them to that piece of blue paper for?—In order to keep it for reference, if necessary; to keep it for my own information.

6564. Has that been all the time since in your possession?—Yes.

6565. Who told you to bring it over here?—I just took it myself.

6566. Did anyone tell you to bring it over here?—No, not one.

6567. Did anyone tell you what you would be examined on here?—No.

6568. You had no communication with anyone?—No.

6569. As to what you were to be examined on in this case?—No.

6570. Who subpoenaed you?—Mr. Soames.

6571. Who served the subpoena?—It has not been served at all yet. I got a telegram.

(*The Attorney-General.*) He had a letter, if you will ask him the facts.

6572. (*Mr. Harrington.*) It has not been served at all yet. How did you come over?—I received a telegram.

6573. From whom?—From Mr. Soames.

6574. On your oath, was Mr. Soames's name attached to the telegram. Come now, have you the telegram. Show us the telegram. [*The witness produced a telegram.*]

(*The Attorney-General.*) Perhaps you will read it out Mr. Harrington.

(*Mr. Harrington.*) "Come over at once, urgently wanted on Commission case; "subpoena served on arriving. Soames, Lincoln's Inn Fields, London."

(*The President.*) It would have been very immaterial if it had not been Mr. Soames.

(*Mr. Harrington.*) Yes, my Lord, but if the Irish police are able to come on Mr. Soames's invitation, without a subpoena, it is a question for comment by us afterwards.

6575. Did you ask the permission of your superior officer to come?—I was directed to come.

6576. By whom?—By my superior officer.

6577. Who is that superior officer?—He is the head constable at Woodford.

6578. He directed you to come?—Yes.

6579. When did he direct you to come?—On the 7th, on the night of the 6th instant.

6580. Was that before you received the telegram?—No.

6581. After receiving the telegram?—Yes.

6582. Do you know whether he would give permission himself to you to come? Can a head constable give permission to you to leave the district?—No.

6583. On his own motion. You never knew him to give it before?—Oh, he can give you leave to leave the district.

6584. He can give you leave to leave the district?—Certainly.

6585. Did you ever get leave from a head constable before to leave the district.

(*The President.*) We do not consider there was any impropriety in his being allowed to come.

(*Mr. Harrington.*) I do not suggest there was any impropriety; I am only cross-examining as to the mode by which he was brought. I think it is perfectly open to me to cross-examine as to that.

Adjourned for a short time.



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FREDERICK WADE.

[Continued.]

District Inspector FREDERICK WADE sworn; examined by Mr. ATKINSON.

6586. You are the district inspector of police at Woodford?—No, of Portumna.

6587. Did you receive the original of those two documents from Sergeant Clancy (*two documents handed to the witness*)?—Yes.

6588. What did you do with them?—They were in my office, and I was away on my duty in the north of Ireland, and when I came back the head constable told me that Mr. Byrne, the divisional magistrate, had taken them away, together with some specimens of handwriting, to have them compared by Mr. Peake, an expert.

6589. Have you searched for those since?—Yes.

6590. Were you able to find them?—No, I have not been able to find them.

(*Sir C. Russell.*) What are these documents?

(*The Attorney-General.*) The two of which I have produced are copies, and I am accounting for the absence of the originals. Of course, we shall have to call Mr. Byrne presently.

(*Sir C. Russell.*) I only wish to understand this.

Cross-examined by Sir C. RUSSELL.

6591. You are an officer of police?—Yes.

6592. Mr. Byrne is a magistrate?—Divisional magistrate.

6593. Administering or supposed to be administering the law?—No, he does not administer the law. That is to say, he does not sit in petty sessions or anything of that character. He does not sit in court administering the law in that sense.

6594. He is a magistrate?—He is a magistrate.

6595. He is not a policeman nor a police officer?—As a matter of fact, Mr. Byrne is a police officer. He is the county inspector.

6596. He is or was?—He is at the present time.

6597. He is both divisional magistrate and county inspector?—Yes, but he does not act at present as county inspector; still he maintains his rank.

6598. What are the functions of a divisional magistrate?—I could hardly tell you.

6599. I want to know. He does not himself, you say, adjudicate cases?—He has charge of a certain division comprising so many counties.

6600. And are there certain magistrates under his order for that district?—There are certain resident magistrates.

6601. Under his superintendence?—To a certain extent.

6602. To a certain extent under his superintendence, do you say?—Yes.

6603. Do I understand this magistrate visited the police office?—Yes.

6604. And took away certain documents?—Yes.

6605. For the purpose of comparing handwriting?—For the purpose of submitting them to Mr. Peake, who was an expert in handwriting.

6606. With a view to prosecuting, if evidence was forthcoming in some particular case, I suppose?—Yes.

6607. Do the divisional magistrates do that duty of aiding in the detection of crime?—Oh, certainly; that is part of their functions.

6608. The divisional magistrates?—Yes.

6609. Was the magistrate a divisional magistrate before he was appointed at that place?—No; he was county inspector.

Re-examined by Mr. ATKINSON.

6610. The divisional magistrates did not adjudicate at all upon any case?—No, I never saw one. I have never heard of anyone.

6611. He was simply head of the police in that district?—Head of the police in that district. I never saw them adjudicate.

(*The Attorney-General.*) May I read this. Will you look at it?

(*Mr. Lockwood.*) What is this?

(*The Attorney-General.*) Do you object to this being read now?

(*Mr. Lockwood.*) As far as I understand this gentleman's account—

(*Mr. Justice Smith.*) Is it worth while calling Mr. Byrne?



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JOHN HUGHES.

[Continued.]

(*Mr. Lockwood.*) I am not anxious to take any captious objection, but I understood my learned friend, the Attorney-General, appreciated a very short time ago the weight of the objection I stated.

(*The Attorney-General.*) I said you were perfectly right in requiring the proof of the originals.

(*Mr. Justice Smith.*) And Mr. Lockwood says yes.

(*Mr. Lockwood.*) Byrne is here.

(*The Attorney-General.*) Yes.

(*Mr. Lockwood.*) When the Lord Mayor's show is over perhaps he will be able to attend this court.

(*The President.*) You had better go on then to the next witness.

(*Mr. Atkinson.*) That finishes that case except upon this point.

[Documents put in.]

(*Sir Henry James.*) May I in this interval say with respect to the speeches, we have done all we possibly could to hasten the delivery of them to your Lordships and to my friends. We have every important speech arranged in order of date, and marked the important part, and they will be delivered to your Lordships before the rising of the court.

(*The Secretary.*) Are these documents to be printed and to go on the note at the present time?

(*The Attorney-General.*) No, not at present.

JOHN HUGHES, sworn; examined by Mr. RONAN.

6612. Do you live at Ardrahan?—Yes, I do.

6613. How far is that from Gort?—6 miles.

6614. How long have you been living there?—I have been living within a mile of it for 18 years.

6615. Up to the year 1886 were you always on good terms with your neighbours and the people around?—The best.

6616. I believe you have the post office there?—I have.

6617. And a general shop?—Yes, and a farmer.

6618. Up to 1886 were you doing a fair business there?—I was.

6619. Now did you in July of 1886 send a car to take some policemen to an eviction?—Yes, November 1886. June 1886 and 1885 I worked for the police all through, and I remember the morning of the date of the eviction you speak about. I did not know, of course, where the car was going.

6620. You gave it to the police?—Yes, they lived next door to me.

6621. You were paid for the car by the police who took it, in the ordinary way?—No.

6622. Did you get paid for the hire of the car?—I was, but not by the police of Ardrahan.

6623. But you were paid for it?—Yes.

6624. Do you remember a large meeting being held near your place in September 1886—the Gaelic sports?—Yes.

6625. Did you see notices posted up about that time?—I did not.

6626. You did not see them?—I did not, but I heard of them.

6627. After the meeting was over did the bands pass up and down the town?—They did.

6628. They passed your house, and used the people do anything?—There was occasional groans.

6629. From that day were you boycotted?

(*Sir C. Russell.*) I would ask your Lordship what we have to do with these Gaelic sports, or what possible connexion has been suggested by the Attorney-General.

(*Mr. Ronan.*) Perhaps I may say this, we are about to prove an interview between this gentleman and the president of the League when, for a monetary consideration, the boycotting was taken off.

(*Sir C. Russell.*) That does not in the least affect my objection.

(*The President.*) I have not the remotest idea what the Gaelic sports are.

(*Sir C. Russell.*) Nor have I except, my Lord, it is some sports in the neighbourhood.



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JOHN HUGHES.

[Continued.]

(*The Attorney-General.*) The Gaelic sports are mentioned simply for the purpose of fixing the date in the man's mind.

(*Sir C. Russell.*) No, it is not, because it was followed up by saying people passed the man's house.

(*The Attorney-General.*) I shall give evidence of boycotting as part of this system, and, as to the leader of the Land League taking off the boycotting for a consideration.

6630. (*Mr. Ronan.*) Before that where did you get bread?—From a man in Kinvarra.

6631. What was his name?—Hoday.

6632. Did he refuse to supply you after that date?—No, he did not.

6633. When did he refuse to supply you?—Perhaps a month after. The man supplied me as long as he could.

6634. What do you mean by saying as long as he could?—Because he was afraid—the man was afraid of the people to supply me any longer than a month.

6635. Did this boycotting go on up to December?—Yes, I think about December.

6636. Do you remember having an interview with Father Consadine?—Yes, I remember meeting him.

6637. Is he the president of the League—whatever he is?

(*Sir C. Russell.*) First of all we have not heard of the League.

6637A. (*Mr. Ronan.*) What did you say to Father Consadine?—I met him, and he was a great friend of mine. We had the usual shake hands, and he was very sorry for this to happen to me. I said what was against me? He said he did not hear of anything, only sending the car with the police, and I said that had I known there had been such a row about it I would not send the car, which I would not, and we talked over the matter, and he said people would think I was doing very well in Ardahan, and that I might do very well without the car hire for this occasion, and I said I could do without the hire, and I said "there is the cheque,"—that is the money I earned.

6638. How much was it?—15l.

6639. Do you say you gave him a cheque for 15l.?—The money I earned. He said the people thought I could do without the money. I said I could and would do without the money, and I would not earn the money if I had known it would cause me such a lot of trouble. He asked me what I would do with the cheque. I said I did not care, he might do as he liked with it, and he said he would give it to the poor of the next parish—to Father McDonagh.

6640. (*Mr. Ronan.*) Did he say anything about a defence fund?—He did not know what to do with the money, he said, and he did not expect I would give it. He said he would give part of it to Father McDonagh in the next parish.

6641. Did he say anything about the defence fund?—He did.

6642. What did he say about it?—He said, had I any objection to give a little to the poor of Woodford—I think it was Woodford.

6643. Tell their Lordships what the defence fund was?—I do not know what it was—I have no connexion at all with such things.

6644. After you paid the 15l. was the boycotting taken off?—It was.

Cross-examined by Sir C. RUSSELL.

6645. Let us get to the bottom of this. Except this man who refused to supply you with bread for a month, was that the only annoyance you suffered?—The people in general were very sorry anything should happen to me, and this man, he supplied me with bread, was awfully sorry he should have to do it, and he followed on longer than he should have done it.

6646. About a month?—About a month.

6647. You say the people generally were very sorry?—Very sorry. There was no man in the parish they were more sorry for.

6648. Were these people who expressed themselves to be sorry about it—were most of them members of the local Land League?—They were. There was not a man in the county of Galway whom they regretted so much that such a thing should happen as me.

6649. You were, and continued to be, a popular man with the people?—Yes, and is now, sir.

6650. And are now?—Yes.



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JOHN HUGHES.

[Continued.]

6651. I should like to know about this?—I will tell you everything I know about it.

6652. It was in 1886, I understand, that this difficulty arose?—It was.

6653. The people connected with the Land League there—the National League it would be then—what was the nearest branch?—My own village.

6654. In Gort?—No. The parish of Ardahan. We are a parish of ourselves.

6655. Who is the president of the local League?—I suppose it is our reverend.

6656. The parish priest?—Yes.

6657. What is his name?—Father Consadine.

6658. He is a great friend of yours, you say?—Yes.

6659. (*The Attorney-General.*) There are several speeches. I referred to some of Father Consadine?—I am only speaking at the present time between Father Consadine and myself.

6660. (*Sir C. Russell.*) Was there a vice-president of the League?—I am not much up in the business.

6661. Who was the treasurer?—Well, I could not tell you who was the treasurer at that time, but I could tell you who is now.

6662. Who?—A young man of the name of Mr. Burke.

6663. What is Burke?—He is a farmer.

6664. Were all the respectable farmers and people of that class round about, or nearly all of them, members of the League?—To the best of my knowledge they were.

6665. I do not know whether you yourself were, or not?—No, sir, I was not.

6666. You kept the post office?—Yes.

6667. Perhaps but for that you would have been?—I farm a little land around the place.

6668. Perhaps if you were not the post office keeper you might have joined the League?—No.

6669. You would not?—No, it is not in my line.

6670. Now, when you complained to Father Consadine about your being annoyed—I will get from you the particulars of the way you were annoyed—did he express regret for it?—Very much.

6671. Did he say what he would say or do—did he say whether he would speak about it or not?—Well, I do not know there was much time between our interview. I am not aware that he did speak of it at the time.

6672. Did he say he would speak of it, is my question?—Well, I think he did, to the best of my opinion.

6673. Now, how were you annoyed besides this man refusing to supply bread to you?—Well, sir, when it comes to a matter of pounds, shillings, and pence, a man must be annoyed. My trade went down from perhaps 150*l.* a week to 20*l.*

6674. Then you mean you were boycotted in that sense—people did not come and deal with you?—Except the gentlemen such as Mr. Shaw Taylor and Mrs. Martin.

6675. What you mean is your customers did not come to you as they were used to do?—They were afraid to do. I must say few did come to me—a few.

6676. Now I want to know are they beginning to come back to you?—Beginning.

6677. Yes?—They were back to me before Christmas of the same year.

6678. Then that is all right, they were back to you before Christmas in the same year. What I understand you to mean is back by the Christmas of 1886?—Yes.

6679. Your business began again to be prosperous?—Yes.

6680. Now, as I understand, the complaint against you was that you had, I think you used the expression, “worked all through with the police”?—Since I went to Ardahan I kept post-cars and a private hotel, and I always work for the police.

6681. That is what I understand?—The day the car went to the evictions I did not know where the horse was going.

6682. You had for a long time left off letting your horses to the police?—Yes.

6683. At this particular time you refer to, they were cars used for eviction purposes?—No.

6684. I thought they were?—At this particular time my car was ordered out in the morning. Some of the sub-constables said there was a car wanted as usual, and the car went out, and the boy came back for a few feeds of oats, and said he might not be back until the next day or so, and the next I heard he went on to Woodford.



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[Continued.]

6685. To the eviction at Woodford?—Yes.

6686. That is what I meant to say to you. You did not know the car was going to be used at the evictions, did you? You afterwards learned that, you say, from your man; that is so?—Yes.

6687. Now, up to this business of your car assisting at this eviction, there had been nothing done or said against you at all?—No.

6688. Not a word?—No.

6689. Right or wrong, did you not know there was a very strong feeling in the country about those Woodford evictions?—I do, well.

6690. Do not you know the people in the country, rightly or wrongly again, including respectable people like yourself, felt strongly about those evictions?—They did.

6691. And anybody who was supposed to take active part in them, or help them, came under the general condemnation?—Right you are, sir.

6692. You have not told us, I think, the day, but I should just like it if you can tell me, when was it you had the conversation with Father Constantine, when you gave him the 15*l.*?—I could not tell you, but I think, if I can recollect right, the bank book will show you, I think it was paid the 15th of December.

6693. If your bank book shows it was about that date, it would be handed in that day, or perhaps the day before. Now let me see what this is. Father Constantine took the same view about the Woodford eviction that you and the rest of the country did. He was against the evictions?—Certainly he was.

6694. And he said to you when you spoke to him, “Well, I think you might do without car-hiring to the police—you are well to do”—and so on?—He did not exactly say that was his own opinion. He expressed it that that was the public opinion.

6695. He said the public thought that you were so well off a man that you could do without that kind of thing?—If I could not do without it I would not give it to him.

6696. Let me see if that is the sum and substance of it. You said, “Well, all I have made out of it is 15*l.*”?—19*l.* was the amount I got, and 4*l.* were expenses for the driver and so on.

6697. And you said, “All I got is 15*l.*”?—Yes.

6698. Did you volunteer that, or did he ask you for it?—No, he never asked me for a shilling.

6699. When you handed it to him, what was he to do with it?—He said that was more than the people expected I would do.

6700. And what was he to do with it?—I said I did not care.

6701. He said he would give some of it to——?—To Father Pat—he was a great friend of mine—to Father Pat McDonagh. He was a friend of mine too, as well as his.

6702. Is it a poor parish, that?—Yes, a very poor parish.

6703. What is the name of the parish?—I think it is Claen Bridge.

6704. He said he would give some of it to him?—Yes.

6705. And then he asked you if you would give some of it to the Woodford defence fund?—Yes.

6706. Or some defence fund?

(*The Attorney-General.*) No, not the Woodford defence fund.

(*Sir C. Russell.*) Or some defence fund.

(*The Attorney-General.*) He did not say the Woodford defence.

(*The President.*) Yes, he did.

6707. (*Sir C. Russell.*) I do not know what this defence fund was?—I suppose, to pay some men like yourself, sir.

6708. I want to know, were there men in custody for resisting sheriffs' officers, or what was it?—Probably, perhaps, at the very date there might not be.

6709. Or was it to help the evicted tenants at Woodford?—Well, I am not sure; there were evicted tenants, and there were prisoners and counsel to be paid, and all sorts of things which run into a good deal of expense—very expensive things.

6710. Now I should like to ask you a few other questions. Who were the landlords about Gort?—My landlord?

6711. Yes?—Well, I have a number of them.



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[Continued.]

6712. You have a number of landlords?—I have.

6713. I do not so much mind your own concern?—Well, I will tell you the landlords.

6714. Who were the landlords near Gort?—I live in Ardahan, not Gort—six miles from Gort.

6715. Who were the principal landlords about Ardahan?—Well, about Gort, we will begin with, as far as Gort, Lord Gough is one; then there is the Lahaves—James Lahave; then we come to Sir William Gregory, coming nearer; then we come to Robinson, of Roundstone; James Wright, if you know anything about him; then we come down to my own place.

6716. I wish to get that in passing, Robinson, of Roundstone?—That is the man.

6717. Roundstone in Connemara?—Yes.

6718. Who was agent for him?—Mr. Wright was.

6719. Who next?—Then I hold myself next to him, from the bishop at the rectory there—I hold that place myself. He is the bishop of Killaloe.

6720. The Protestant bishop?—Yes.

6721. Who next?—Then there is Mr. Shaw Taylor joins there, and I hold from Mr. Shaw Taylor there, and then I hold from Lord Clanmorris. A very respectable landlord is Mr. Taylor.

6722. A good landlord?—Yes, Mr. Shaw Taylor is a first class landlord.

6723. Are those the principal ones round about you?—No, there is more: there is Mr. Blake, of Clough.

6724. Was there in 1878 and 1879 much distress in your neighbourhood at Ardahan after the failure of the crops?—1878 and 1879?

6725. Yes, in 1879–80, the year the potato crop principally failed?—Well, from 1878, of course I was living in the place in 1878. How it was in 1878 was, I was doing business for a gentlemen in 1878 —

6726. I am not talking about you. You have the look of a prosperous man about you. I was rather asking about people in your neighbourhood—the small farmers about you?—Oh, yes. 1878 was a very poor year—a very poor year.

6727. Do you recollect 1879 also?—Yes, I do.

6728. That was worse?—For the last seven years until this year was very bad. It was very hard to make rent and all that sort of thing.

6729. Were there relief committees in your neighbourhood in the distress in 1879, or did they not come down as far as yours?—Well, I do not know what you mean about relief committees. There is the union. They give out-door relief there.

6730. Do you recollect in 1879 the funds that were collected for the poor, that came from the Duchess of Marlborough's fund?—Oh, I do remember that well.

6731. Had you committees of that kind about your neighbourhood distributing relief—giving orders to the shopkeepers for goods?—Well, I kept a shop, and I never got an order from them.

6732. I want to know from you were there committees in your neighbourhood or not?—I could not say. I beg your pardon, I think there was—there was. When I opened the business house in Ardahan at that time there was not another business house Ardahan. I think to the best of my opinion ever used to have orders given on that town.

6733. Is the land pretty good about Ardahan and Gort?—Yes.

6734. Some of it very good?—Yes, and some very bad—wretched bad.

6735. Do you recollect the Land League agitation?—I do.

6736. Had any of the landlords made any reductions in rent until after the agitation?—There was.

6737. Who?—Mr. Shaw Taylor. He was a man who gave reductions of his own accord without being asked—I believe without being asked. I know I got a reduction from himself myself without having asked a per-centage.

6738. Except Mr. Shaw Taylor, did any one of them to your knowledge make any reduction?—Well, I think Mr. Blake did.

6739. You think he did. Very good. Did you find you were obliged, when you started your own shop, to give a good deal of credit?—Indeed I did.



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MRS. HARRIET BLAKE.

Re-examined by the ATTORNEY-GENERAL.

6740. You spoke of your shop being boycotted?—Yes.

6741. And your trade having gone down from 120*l.* a week to 20*l.*, only the gentry attending. Now you paid the money somewhere about the 15th December?—Yes, perhaps a little earlier.

6742. How soon after that was the boycotting off. You said something about Christmas?—Three days after.

6743. (*Sir C Russell.*) Was the fact that you had returned this money you made by the police mentioned publicly?—It was.

Mrs. HARRIET BLAKE, sworn; examined by Mr. ATKINSON.

6744. Are you the widow of the late Mr. Walter Blake?—No.

6745. John Henry Blake, I mean?—Yes.

6746. Was he the agent of the Marquis of Clanricarde?—Yes.

9747. Where did you reside?—At Rathville.

6748. What town is that near?—Loughrea.

6749. How long had your husband been agent for the Marquis of Clanricarde?—I do not know—several years.

6750. Had he lived at Loughrea during that time?—He lived at his own place principally—about six or eight miles from Loughrea.

6751. Up to the month of October or the latter end of the year 1881—the autumn of 1881—

(*Sir C. Russell.*) I would rather you would not fix dates if you could avoid it.6752. (*Mr. Atkinson.*) Up to the autumn of 1881 was he on good terms with his neighbours?—Yes, I think so.

6753. And with the tenantry on the estate?—I think so.

6754. Some time in the year 1881 were meetings held in Loughrea; do you know of your own knowledge meetings of the League?—Oh, I think so—yes, all about there.

6755. Now, in October were you yourself asked to subscribe to the League?—I was asked to subscribe to the League. I cannot put a date to it.

6756. About what time?—I really cannot fix a date.

6757. In what year?—I cannot fix a date.

6758. During your husband's lifetime?—Certainly, yes.

6759. About the latter end of 1881—?

(*Sir C. Russell.*) My friend does not mean it I am sure unfairly, but, if anything turns on dates, I request they may not be led up to.(*Mr. Atkinson.*) I shall not lead up to any date on which anything turns.

6760. In the latter end of the year 1881 did you see a threatening letter in your husband's possession?—I did.

6761. Do you know what was done with it?—I do.

6762. What was done with it?—I found it amongst my husband's papers after his murder, and I handed it myself—

6763. What did you do with it?—To the best of my recollection it was given to the commissioner who investigated under the Crimes Act in Galway.

6764. What was that gentleman's name, do you know?—I think it was Mr. Burne.

6765. Did you ever get it since?—I did not.

6766. It was never returned to you. Now, between the receipt of that letter and the month of June 1882, did you observe any change in the demeanour of the people to your husband?—Generally speaking, throughout the country, the demeanour of the people was changed.

6767. At what time do you say the change began?—All throughout that period, the change in the demeanour.

6768. In what way was the demeanour changed?—I could not describe it very particularly beyond that the same civility did not exist in the way they touched their hats when they met you on the road.

6769. Do you remember being on your way into Loughrea with your husband on the 29th June 1882?—I do.

6770. Was that a Sunday or a holiday?—It was a holiday.

6771. What vehicle were you on?—I was on a jaunting car.

6772. Had you a servant driving you?—I had.



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MRS. HARRIET BLAKE.

[Continued.]

6773. What was his name?—Thady Roane.  
6774. What time of the day was it?—It was between 11 and 12 in the day time.  
6775. Were you proceeding into the town of Loughrea?—Yes.  
6776. Were there many people on the road?—Oh, yes, a good many.  
6777. Going where?—Towards the town and from the town.  
6778. Is there a turn in the road as you get near Loughrea?—Yes.  
6779. Do you remember coming up to that?—I do.  
6780. As you approached that, what happened?—I saw a boy on the road. I noticed he looked at us not in a kind way.  
6781. Was that before you had approached the turn?—Yes, immediately before I approached. I asked my husband who that boy was, that I did not like his look. He said he did not know. He turned round to the servant and he asked him if he knew who the boy was, and the servant said he did not. My husband then said, "That is the first time, Thady, I ever heard you say you did not know who anyone was we met."  
6782. Did you proceed on your journey?—Yes.  
6783. Just as you came to the turn, what happened?—A shot was fired.  
6784. Did the shot strike you?—It did.  
6785. Did it wound you?—Yes.  
6786. In a few seconds after did you hear another shot?—I did.  
6787. Did the second shot hit your husband?—Yes, and he fell off the car.  
6788. Was there a third shot?—I think there was.  
6789. Was the servant hit then?—I believe so. I do not know where he was hit.  
6790. Did he fall off the car or on the car?—He fell across the well of the car.  
6791. Did the horse proceed on?—Yes.  
6792. Were there people on the road who saw the horse going on?—Yes.  
6793. Did they give any assistance to stop him?—None whatever.  
6794. At this time was Roane's body lying across the car?—He was lying across the well of the car, and I was holding him.  
6795. Did you cry out to these people for assistance?—I did, I besought them to go back to my husband who was in sight. I besought them for God's sake to take the horses head and stop it.  
6796. Was he running away at the time or gowing slowly?—No, he was at a very easy trot at that time.  
6797. Would there have been any difficulty whatever in stopping him?—None whatsoever. The reins of the horse were severed and trailing on the ground; if I could have caught them myself I would have stopped the horse, but I could not. I had nothing to hold.  
6798. Ultimately was the horse stopped?—Yes.  
6799. By whom?—By some man in the middle of the road.  
6800. Do you know the Rev. Father Egan, of Woodford?—I knew the Rev. Father Egan, who was stationed in Loughrea.  
6801. Did you meet him on the road?—I did when the horse was stopped.  
6802. He was on the road there?—He was on the pathway—on the side of the pathway.  
6803. Who stopped the horse?—At the time I did not know the man's name, but I heard since he was a man of the name of Bowes.  
6804. Did the Rev. Mr. Egan give you any assistance?—I called him over to me, and he then did come over, after I had called upon him more than once.  
6805. Was that to attend to Roane who was dying?—Yes, I called upon him as his duty as a Catholic priest to come over and perform the rites upon the dying man.  
6806. Did you call him more than once before he came?—I did.  
6807. And do you say you had to call upon him—what about his duty—you said something about his duty?—Yes, I asked him to come over and perform his duty as a clergyman to a dying man.  
6808. Did a policeman come up?—Yes.  
6809. And ultimately were you brought into the town of Loughrea?—I was.  
6810. By the police?—Yes.  
6811. Did you continue to live on in that place after the death of your husband?—I have never lived there much since.



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MRS. HARRIET BLAKE.

[Continued.]

## Cross-examined by Sir C. RUSSELL.

6812. Mrs. Blake, I want to ask you as little as possible. How long had your husband been agent for Lord Clanricarde?—For a very great number of years. I cannot put a date.

6813. I think he was the landowner for whom principally he was agent. Had he any other agencies?—Oh, yes, he had Colonel Daly also.

6814. Do you recollect the tenants demanding a reduction of rent in 1879–80?—Yer, they did I think.

6815. Is it not a fact due to your husband to state, that he was of opinion that they ought to get a reduction?—He was of an opinion that certain portions of the estate ought to get a reduction.

6816. Do you know that he so expressed himself?—I do.

6817. He would not be allowed to grant that reduction?—He would not.

6818. This boy who attracted your suspicions on the road was known, as I understand, neither to you, nor to your husband, nor to the driver?—No.

6819. A stranger apparently?—Yes.

6820. You knew the people about there pretty well yourself, Mrs. Blake?—I knew their appearance—the people I used generally to meet on the road—I knew their appearance.

6821. Have you in your possession letters showing your husband's demands and urging upon his principals that reductions were necessary?

(*Sir H. James.*) You should produce them.

(*Sir C. Russell.*) I am going to produce them.

(*Sir H. James.*) I do not want to object. If my friend is going to produce the letters he had better not give their contents but produce them.

(*Sir C. Russell.*) It is merely to identify them.

6822. Have you letters written by Lord Clanricarde to your husband and copies of letters written by your husband to Lord Clanricarde?—Yes.

6823. Since your husband's death, and in defence of your husband's memory as a humane man, have you sought to publish that correspondence?—I have.

6824. And have you been restrained?—I have, by an injunction.

6825. By an injunction at the instance of Lord Clanricarde from publishing it?—Yes.

(*Sir C. Russell.*) Now, my Lord, I would ask your Lordship that this correspondence may be forthcoming as this lady has it. I will not press your Lordship at this moment to express any view about it, but I should submit to your Lordship it would be desirable that the correspondence should be produced.

(*The President.*) I do not understand that any objection is made to it.

(*Sir H. James.*) Oh no, it is not for us to object on the part of those we represent, if your Lordship thinks it is of the slightest assistance. We have no objection, my Lord, to anything.

(*The President.*) I understand there is no objection. My reason for asking is that but for that I do not see its relevancy.

(*Sir C. Russell.*) May I point out at this moment the relevancy?

(*The President.*) No. As no objection is taken we will have it in and we shall see.

(*Sir C. Russell.*) I think I should immediately suggest to your Lordship why it is relevant.

(*The President.*) Very well.

(*Sir C. Russell.*) I do not propose to do it now, if your Lordship does not wish it.

(*The President.*) No.

(*Sir C. Russell.*) But I should be rather disappointed if I did not point out its relevancy.

(*The President.*) Very well.

6826. (*Sir C. Russell.*) Did you know Father Egan? Was he a friend of yours, or not?—I do not know that there was ever a formal introduction. I knew him as a clergyman.

6827. You did not belong to his church?—Oh, yes.

6828. You did not belong to his particular parish?—No; he was not my parish priest.



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MRS. HARRIET BLAKE.

[Continued.]

6829. That is what I meant. I think you would wish to be fair to this gentleman, who is not here?—Oh, certainly,

6830. I think you would. I do not know whether you meant to suggest that he intentionally declined to come forward?—I do not mean to suggest anything. I merely state what happened when you ask me a question.

6831. I did not ask you; it was my friend. I mean you would think it fair, would you not, to Mr. Egan. Did you mean in any way to convey that you thought that he was shirking his duty?—I thought it was very extraordinary that he did not come over at once himself, seeing the situation.

6832. How do you know he knew the situation?—I think it was very palpable. I was as close to him as I am to you—facing him. The poor man was pouring with blood. If he was not dead he must have been on the point of death at the moment. The car was standing.

6833. Then you think he did—you are quite justified in answering my question in saying so?—I merely state the circumstances.

6834. I know you are quite entitled. You think he declined to come forward until you urged him?—He did not come over when I asked him in the first instance.

6835. Then you urged him?—Yes.

6836. And then he came?—Yes, then he came.

Re-examined by Sir H. JAMES.

6837. You have told my friend, Sir Charles Russell, that your husband recommended a reduction on part of the estate?—To the best of my recollection, yes.

6838. But upon another part he did not recommend the reduction?—I really cannot, off book, say exactly what portions of the estate.

6839. I do not want you to give us the exact portions; but, as a fact, did he refuse to recommend a reduction upon some portion of the estate?—No, I do not think he did.

6840. What did you mean, then, please, by saying he recommended a reduction on part of the estate?—I mean to say, in the autumn of 1879 he wrote a letter to Lord Clanricarde stating generally that there was a great deal of distress in the country, and the difficulty there was for the tenants to meet—I believe the purport of it was, there were various engagements—the time had been a bad one, and the crops were not good, and I think he alluded to the prices of cattle. To the best of my recollection, he gave a graphic description of the then state of the country, and laid it before his Lordship—to the best of my recollection—that it was advisable to consider the case generally.

6841. But I understood you to tell my learned friend——?—I think he especially mentioned the Craughwell estate as being in a poor district.

6842. Now tell me please about the occasion of the murder. You say the boy you did not know?—No.

6843. Were there people in the road that you passed, both before you were fired at and after?—Yes.

6844. How many people about in the road?—I could not say that. It was a market day, and there were some people going in to attend the chapel and elsewhere—coming from the market.

6845. It was a market day?—A fair day, I think.

6846. And I think you have told us it was a holiday?—Yes.

6847. And I think you say people were going to the market and back again?—Yes.

6848. Is it your idea that these people were all strangers to the neighbourhood or that some of them belonged to the neighbourhood?—Oh dear, no; I think they were, in a great measure, belonging to the neighbourhood.

6849. Had you any idea where the shots came from that killed your husband and wounded you?—I had not at the moment; not the slightest.

6850. Did you see anyone make any attempt whatever to arrest the persons who shot?—I did not.

6851. Did any one of those persons in the road offer you the slightest assistance?—Not the slightest.



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WILLIAM O'CONNOR.

6852. From the time the shot was fired and your husband fell off the car, until the car was stopped, about how far had you gone?—I think less than an English quarter of a mile.

6853. Had you passed persons on the road during that time?—Yes, I had.

6854. I ask you again, did any one of them render you the slightest assistance?—Not the slightest.

(*Mr. Lockwood.*) She has said that three times.

(*Sir H. James.*) Twice.

(*Mr. Lockwood.*) Three times.

6855. (*Sir H. James.*) Tell me what time of day it was. Were you going in to mass on this occasion?—I was.

6856. What would be the time of the mass?—Twelve o'clock mass.

6857. (*Sir C. Russell.*) Mrs. Blake, before you go could you kindly send for those letters. Would you be able to send for them?—I suppose so.

(*Sir C. Russell.*) If you please.

WILLIAM O'CONNOR sworn; examined by Mr. ATKINSON.

6858. Are you a constable in the constabulary?—I am a sergeant in the constabulary.

6859. During 1882 were you protecting Mr. Blake?—I was not giving him personal protection. I was sent to meet him on the 29th June—to meet him coming into town and to protect him coming into it.

6860. Were you alone or were you accompanied by another policeman?—I was accompanied by another policeman.

6861. You were to meet Mr. Blake, were you, and to escort him into town?—Yes.

6862. It was a fair day, I believe, and a holiday also?—Yes.

6863. Were there a great many country people on the road?—A great number.

6864. As you left Loughrea did you meet Mr. Blake's horse and car on the road?—Yes, I met Mr. Blake's horse and car on the road.

6865. How far had you gone before you met them?—Something over a quarter of a mile—between a quarter and half an English mile from Loughrea.

6866. Before you came up to the car, did you meet a crowd of people?—I did.

6867. What were they doing?—About 20 or 25 coming in abreast. They were singing and I saw—I and the other man approaching them—they came up and separated and let us pass. I met a lot of cars coming on behind them. We passed on and came down the hollow. Just about 100 yards further on I saw a horse and car standing by the side of the road. In it was the driver of the car—his name of Thady Roane I found out afterwards—on one side, and Mrs. Blake on the other side. Thady Roane was lying dead on the car supported by Mrs. Blake's hand (*describing*), and when I came down to her I thought she was shot.

6868. Did you bring her part of the way into Loughrea?—I did.

6869. Did you meet an escort coming out from Loughrea?—Yes, I met other policemen.

6870. Did you then deliver over the car and the horse to their charge?—Yes.

6871. Did you yourself then return to search for Mr. Blake's body?—I did.

6872. Did you find it upon the road?—Yes, about 200 yards further on again, lying on the road.

6873. Was it still there?—Still there, lying dead.

6874. About how long was that after you met the car?—I should say something about five minutes—about between five and 10 minutes.

6875. Was there any crowd about it?—There was no crowd about Mr. Blake's body.

6876. Those persons that you met along the road, if they had come any distance along the road, must they have passed his body on the road?—They must have passed his body. They had no other way of coming.

6877. At the particular part of the road where you met him did you examine the walls or ditches by the side of the road?—Yes, where Mr. Blake's body was the walls were loopholed.

6878. On both sides?—I noticed them only on one side. He fell on this side, and the loophole was on the opposite side.



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WILLIAM O'CONNOR.

[Continued.]

6879. There were loopholes made in the wall?—Yes, loopholes made in the wall.

6880. Did you close them up yourself?—I did not close them up.

6881. What did you do with his body then? Did you bring it into Loughrea?—The body was taken into Loughrea. I remained with the body a short time till more assistance came up. The body was taken into Loughrea then, and I went to see if I could get any trace of the parties who shot him.

6882. Did you ask for any assistance from the people you met on the road?—I asked several, but they would tell you nothing.

6883. What inquiries did you make from them?—I inquired to know did they see any parties round the place—any persons that would be likely to shoot him, or any persons masked.

6884. Did you get any mask near where his body was lying?—Yes, about 60 yards in the field near where his body was lying I found a piece of crape.

6885. You could not obtain any information from anybody?—No, none whatever.

Cross-examined by Sir CHARLES RUSSELL.

6886. Where was this crape found?—The body was lying here. The loopholes were just opposite.

6887. I mean was it in the road or in the fields?—In the fields.

6888. Close to the wall or not?—Not close to the wall, about 50 yards from the wall the crape was found.

6889. Further in the field?—Yes.

6890. Did you find any marks of footprints going in that direction?—There were footprints. There was a sort of path going in that direction, there were some footprints.

6891. There was a path going in that direction?—There was an old path on the top of a ditch.

6892. You mean a public path that people used to take a short cut by?—Well, I could not say.

6893. Is that what it appeared to be?—It appeared to me where cattle would walk along from one field to another on the top of the path, and people would also pass.

6894. It was near this you found the crape, you say?—Yes.

6895. Was the horse moving or was the car stopped when you came up to him?—The car was stopped, and the horse was wounded. The horse was bleeding.

6896. "Moving," I said?—No, standing.

6897. Then you went farther back?—Yes, after a while.

6898. To where Mr. Blake's body was lying?—Yes.

6899. How far back was that should you think?—I should say between 200 and 300 yards back further.

6900. I do not think we heard from Mrs. Blake whether Mr. Blake had fallen immediately off the car, or whether he had been carried on in the car some distance?—From the inquiries I made I could not say.

Re-examined by Sir HENRY JAMES.

6901. As far as you could learn had the shot been fired from the side of the road?—I should say the shot was fired through the loop-hole.

6902. From the field close to the road?—Just up on the side of the road.

Mrs. HONORA LYDON sworn; examined by Mr. MURPHY.

6903. Mrs. Lydon, in August 1886, were you and your husband living at Kinvalla, in the county of Galway?—Yes.

6904. Did your husband keep a hotel there?—Yes.

6905. He was in the habit of letting out cars for hire?—Yes.

6906. About that time did he let out a car to the police who were busy upon some eviction duty?—Yes.

6907. Up to that time had he been on good terms with his neighbours or not?—Very good indeed.



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HONORA LYDON.

[Continued.]

6908. After that were there boycotting notices posted about?—Yes.
6909. Was his name mentioned in them?—Yes.
6910. Did you yourself see the notices or not?—I saw a few of them.
6911. Just give me the substance of the notices you saw?—That he would get the death of Carey.
6912. Who would?—My husband would.
6913. Was his name mentioned in them?—Yes, or anybody that would enter his house or place.
6914. What was the effect of these notices?—I suppose it was supplying the police with cars.
6915. That was the cause of it, but what was the result?
- (*Sir Charles Russell.*) No.
- (*Mr. Murphy.*) After these notices did the people come to the house or not?—No, they all remained away from us except a few of our near friends. All our customers stayed away from us except a few of our own friends.
6916. Now, some time after this was your husband taken ill?—Yes, he was.
6917. And in consequence of a message that you got did your husband go to a meeting of the Land League?—He did.
6918. Was he ill at the time?—He was, indeed.
6919. Did you go with him?—I did.
6920. He left his bed, I think, for the purpose of going?—Yes.
- (*Sir Charles Russell.*) When was this?
6921. (*Mr. Murphy.*) Can you fix the date of the meeting he went to, or as nearly as you can?—I know it was in the month of February 1887.
6922. Who were at the meeting. Do you remember who the chairman was, and some of the leading people who were taking part in it?—Really, I could not say.
6923. Some of the names perhaps you could recollect?—I could not say. The whole parish were assembled there.
6924. Do not you remember who the chairman was?—I could not say.
6925. What did your husband say at the meeting?—The first time there was a meeting, he was not able to leave his bed. He only sent his father there.
6926. The next time he went he only paid 5s., and got a card to be recognised as a member of the League.
6927. Did he say anything when he went there that you can recollect?—He did not the second Sunday, but his father did the first Sunday.
6928. Were you with the father?—No, I was not.
6929. You can only tell us what the father told you?—That he was sorry he had let the cars.
6930. We cannot have that?—That if he had known it would cause such annoyance in the parish he would be the last man to lend his cars to the police.
6931. Where was this meeting held?—In the village of Kinvalla the first Sunday.
6932. And the second one?—At the parish chapel yard.
6933. I do not know whether you recollect whether the clergyman was there?—He was.
6934. What was his name?—Father Maloney, parish priest.
6935. Who gave him the ticket?—Well, really, I could not say.
6936. What was the ticket for?—I do not know whether you have told us that. What ticket was it?—To be recognised as a member of the League, that he had paid his fare towards the League.
6937. Did he say whether he was paying his fare?
- (*Sir Charles Russell.*) His faring?—What he was supposed to pay towards the League.
6938. (*Mr. Murphy.*) Had he been a member before or not?—There was no League started in the parish until then.
6939. After he paid for his ticket, or whatever it was, was anything done to your house?—Well, there was.
6940. What was done?—There was some paint put up on the show board.
6941. What was the paint that was put up?—And some windows broken.
6942. The windows were broken and what else was done. What was the paint that was put up?—It mentioned B.C. all over the house.
6943. What does B.C. mean in that neighbourhood?—It represented “boycott.”



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HONORA LYDON.

[Continued.]

(*The President.*) I do not understand this. I do not understand the order of events. I thought she went with her husband and paid a fee to what you allege to have been a Land League meeting, and after that?

(*Mr. Murphy.*) After that still her windows were broken, and the letters B.C. were painted at the side.

6944. Had the customers kept away from you all this time?—They had.

6945. And after the letters were put up did they still continue away from you?—Not so much as they used previous to that.

6946. To some extent?—To some extent, yes.

6947. During the time that you were boycotted, had you difficulty in getting provisions?—Well, no.

Cross-examined by Sir CHARLES RUSSELL.

6948. I want to follow these dates, if you will kindly tell me. First, tell me whereabouts is Kinvalla? What is your nearest town?—Ardrahan is the nearest town. It is within five miles of Kinvalla.

6949. And Ardahan is about six miles from Gort, I think we have heard?—So I believe.

6950. Something about that. Now, will you tell me please, what was the date or about the date of the meeting that your husband attended. Was it February 1887?—February 1887; in 1886, I think.

6951. Tell me whatever you think it was. You said before February 1887, but perhaps you have made a mistake?—I think it was in 1886.

6952. You think it was 1886?—I think so.

6953. Had there been any Land League or National League there before that time, or was that the beginning of it?—That was the beginning.

6954. In February 1886. You are now sure it is February 1886—not 1887?—Well, I think it was in 1886.

6955. Now, when was it that your husband sent the cars for the eviction?—I know it was in the month of August.

6956. Of what year?—1885, I think.

6957. Now we have got it. In the month of August 1885 cars for the police for the evictions?—Yes, I think it was at that date. I might be out.

6958. That would be after your husband had become a member of the Land League?—Yes, after that.

(*Mr Justice A. L. Smith.*) No.

(*The President.*) I understand that to be in 1887. I had the date of her husband joining the League in 1887.

6959. (*Sir Charles Russell.*) That is so. That is what she gave, but she corrected it, and said she thought then it was 1886?—In 1886, sir.

6960. Is that what you mean?—1886.

6961. That your husband joined the League in February of 1886?—Yes.

6962. Well, were the evictions for which the cars were supplied in August of that year or the year before?—The year before.

6963. Now we have got it. Then the first thing in order of date is the eviction cars supplied in August 1885?—Yes.

6964. Your husband joins the League in February of 1886?—Yes.

6965. Where were these evictions?—In Woodford.

6966. On Lord Clanricarde's property?—Yes.

6967. There was a very strong feeling in the country, rightly or wrongly, about those evictions?—I believe there was.

6968. Now when did your husband's custom, as you say, begin to fall off?—About a fortnight or three weeks after the cars came home from Woodford.

6969. That would be about September of 1885?—About that.

6970. And before the Land League was established?—Yes.

6971. Or the National League, whichever it was. Now, except your custom falling off was there anything else that you had to complain of beyond that. I think you said something which I did not quite catch, something about a window being broken?—

Oh, yes. They were broken the first time after the cars coming from Woodford.

6972. That was immediately after the cars came from Woodford?—Yes.



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PHILIP KEOGH.

6973. Then your custom to some extent fell off, you say?—Oh! yes, completely.  
 6974. And then these letters were posted on your house?—Yes.  
 6975. And after that I understand your customers began to come back?—After the months of April and May 1886 they commenced to come back again, after the League being started.  
 6976. I want to know a little more about this. Your husband was a member of it. Was his father a member of it?—Yes, he was.  
 6977. Were all the neighbours about members of it?—Yes.  
 6978. Who was the president of it? Father Maloney I think you said?—Yes.  
 6979. Who was the treasurer?—Upon my word, I could not exactly say at the time.  
 6980. Were all your respectable neighbours members of the League?—They were, indeed.

Re-examined by Sir HENRY JAMES.

6981. How far do you live from Loughren?—Fourteen miles.  
 6982. Give me again the date you say was the first time the Land League was established, and then I will ask you where?—In February 1886.  
 6983. Where do you say that was?—In the square at the village of Clonbur at first.  
 6984. That is in your own village?—Yes.  
 6985. Is it a village or town?—Yes.  
 6986. A village—is it?—Yes.  
 6987. Where was the nearest Land League to your own knowledge to Kinvarra?—Ballinchalla.  
 6988. How far is that?—Three miles from Kinvarra.  
 6989. Is that also a village—this place three miles off?—A small town like.  
 6990. There was a Land League there?—Yes.  
 6991. Do you know anything of the working of the League?—No, I do not.  
 6992. Are you quite sure as to the date the Woodford eviction took place. I will tell you I have had it from others the 18th August. What date do you say it was?—Perhaps I might be making a mistake.  
 6993. Do not assume unless you are sure in your own mind. Are you sure it was 1885 or 1886?—Indeed I could not be sure which it was.  
 6994. You were boycotted, I think, for the first time after supplying a car at any rate?—Yes.  
 6995. How long for?—We were boycotted up to—  
 6996. I think you said a fortnight or three weeks?—Yes.  
 6997. Had the Land League been established then or not?—It had not.  
 6998. Are you quite certain?—No. It had not at the time I sent the cars to Woodford.  
 6999. The time you sent the car to the Woodford eviction there was no Land League in your own village?—No.  
 7000. But there was one within three miles off?—Yes.  
 7001. As to what took place in Loughren you do not know?—No.  
 7002. What is the distance of Kinvarra from Loughren?—Fourteen miles.

Constable PHILIP KEOGH sworn; examined by Mr. MURPHY.

7003. Were you in the Irish Constabulary in August 1886?—Yes.  
 7004. Were you employed with reference to the evictions at Woodford?—Yes, on the 16th August 1886. I employed a car to convey two constables and myself to the Woodford evictions.  
 7005. Did you employ Lyden to supply the car?—Yes.  
 7006. Are you sure that it was in 1886 and not 1885?—I am sure it was in 1886.  
 7007. After the cart had been supplied to you, did you see any notices about with reference to Lyden?—The first thing that came under my notice was a publication in the *Tuam News*, where the car-owners were named who supplied cars to convey the police to this eviction, and after that there were several notices posted to boycott this Lyden, the hotel keeper, for supplying the cars.



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PHILIP KEOGH.

[Continued.]

7008. Do you remember what the terms of this notice were, and what was said in them?—The notice principally said that any person who would enter Lyden's Hotel or deal with him would receive the death of Carey.

7009. Were you employed to try and trace out the persons who had written some of those notices?—Yes, as sergeant of the station I felt called on, and I felt it to be my duty to trace them out as much as I possibly could.

7010. I may ask you in passing by whom did they purport to be signed?—They were signed "The good men and true," and "God save Ireland," was the termination.

7011. Now, do you remember going, amongst other places, to Lyden's Hotel to try and inquire into this matter?—Yes, I frequently visited Lyden's Hotel, and kept patrols in the vicinity both day and night in order to prevent or detect those outrages.

7012. Do you remember in the month of January anything being done to the hotel?—Yes, I remember the kitchen window of the hotel being broken. I found in the kitchen portions of a broken tumbler that had apparently been used or thrown against the window. It entered the kitchen, and I found fragments of it there; and while inquiring into the matter, I found that the coffee-room was broken from the street side. I immediately went out and I found six or eight persons outside on the street. One of them was rather a prominent member of the National League.

7013. What was his name?—His name was—I cannot recollect—I know he is a prominent agitator in the locality.

7014. Try and recollect his name?—Austin Stanton. He was amongst the party, and I have reason to know that he was.

(*Sir Charles Russell.*) Do not tell us what you have reason to know.

7015. (*Mr. Murphy.*) What have you seen him doing that makes you call him a member of the Land League?—Well, I have seen him very prominent in all the meetings, and I saw him prominent in the street in the crowds of persons, and they were apparently round him, and either advising him or talking to him in some way—they were paying some attention to his sayings—I could not say what they were saying to him.

7016. I may ask you in passing there was no regular Land League at Kinvarra until 1886—had there been speeches made as far back as August 1885.

7017. (*Sir Charles Russell.*) Was he there?—I am not personally aware of it, for I was not at the station at the time.

7018. (*Mr. Murphy.*) Do you know whether it was a Land League, or what date it was first established at Kinvarra?—I could not say the date, but I am aware it fell through. I think it is in July 1886. It fell through in July 1886.

7019. Had there been one there before?—There was one established some time previous to that.

7020. And it fell through in July 1886?—In June or July.

7021. (*The President.*) What do you mean by falling through?—What I mean is that the members ceased to meet, and the association was dissolved like that; they did not carry on the operations of the League after that.

7022. (*Mr. Murphy.*) What I want to get is the time the cars were supplied. Do you know whether or not there was a Land League in operation at Kinvarra?—There was no National League in operation at that time, but there had been to June or July previous to the August that they were hired in that year.

7023. There had been, as I understand, a league before, but it had fallen off?—Yes.

7024. Before 1886?—Yes.

7025. You have told us what occurred when the windows were broken, and so on. Do you know James Burke, the blacksmith?—Yes, I do.

7026. Had he been in the habit of shoeing Lyden's horses?—I am not personally aware that he was, but I have heard that he was.

7027. Did James Burke show you a letter that he had received?—He did.

7028. A threatening letter?—He did.

7029. What did you do with it?—I enclosed it and sent it attached to a report to the district inspector of Gort.

7030. It is not here to-day?—I have not the threatening letter.

7031. It is not here to-day?—No; but part of it was —

7032. You must not tell us that.



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MARIA O'FLAHERTY.

(*Sir Charles Russell.*) I do not care in the least, he may if you wish.

(*Mr. Murphy.*) My friend does not object, my Lord. Tell us then, what it is.

The purport of the letter was cautioning Burke that if he worked for Lyden he would meet the death of Carey.

7033. Did you try to find out who was the writer of that letter?—I made all possible inquiries, in order to find out who was the writer, but failed to find out.

7034. I believe you were boycotted afterwards in reference to the work that you did when trying to find out the author of those letters?—It was on account of a prosecution I had against parties.

7035. (*Sir Charles Russell.*) How does he know on what account it was?—I am aware that threatening letter referred to the matter in which I was boycotted.

7036. (*Mr. Murphy.*) Did you receive a threatening letter?—A threatening notice was put up.

7037. Put up where?—Put up in the chapel gate at Kindarra.

7038. Were you named in the threatening notice?—I was named in the threatening notice that I was boycotted on account of the prosecution I had against parties who assaulted bailiffs whom I was protecting in company with seven constables, and the mob took the bailiffs and assaulted them with stones, and assaulted the police.

7039. (*Sir Charles Russell.*) Is this all in the notice?—It referred to it.

7040. (*Mr. Murphy.*) Had you a difficulty in getting milk and things of that sort for your family after that?—After that notice the only person who supplied me with anything sent a written letter to my wife, in my absence at the assizes, saying that she could not get supplied on account of the notice put up, and I suffered very much at the time, for I had an infant that was reared on milk, bottle-feeding as they call it in the country, and I suffered very much at one time; I was afraid the baby would not live.

(*Sir Charles Russell.*) I do not ask you anything. During the interval of the next witness coming, my Lords, I have to renew the application that I made before for liberty now to inspect the contents of those boxes.

(*The President.*) We devoted some time to looking through the other papers that were brought in, but we were not able to complete it. However, we will deal with it when we next meet.

MARIA O'FLAHERTY sworn; examined by Mr. RONAN.

7041. Where do you live?—I live at Killola.

7042. What town is that near?—Outerane, co. Galway.

7043. Do you know a priest named Father Coyne?—I do.

7044. Do you remember in the month of October 1880 going to mass one Sunday at Father Coyne's chapel?—I do.

7045. Who drove you that day?—A man of the name of Henry Welburn.

7046. Was it on your own car he drove you in?—He drove my car.

7047. After mass in the chapel yard did you see Father Coyne making a speech to the people?—I saw him, but I know nothing about the speech that he made, except what was said about us.

7048. Did he say anything about your family?—He did.

7049. What did he say about your family?—That we should be shunned.

7050. Shunned as what?—As a leper or lepers, I do not know which.

7051. After that address did you speak to Father Coyne?—I did.

7052. What did you say to him?—I said, "Oh, Father Coyne, what have we ever done that we should be shunned?"

7053. Did the crowd do anything to you then?—Not that I am aware of.

7054. What was their demeanour towards you?—One or two made grimaces.

7055. Now your servant who drove you out to mass on the car, did he drive you home?—He was not my servant.

7056. Was he a boy you hired for the occasion?—I did not hire him. I met him at the gate on other matters.

7057. Who drove you home that day?—My servant maid.

7058. You did not see the man who drove you in, when you wanted to go home?—No.

7059. He was not there?—He might be in the crowd.



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EDMUND O'FLAHERTY.

7060. At any rate, he did not offer to drive you home?—No.

7061. Or you did not see him?—No.

7062. After that occasion were the neighbours as friendly with you as they were before?—Well, indeed, not exactly so; but they were not very much against me.

7063. Did other people come to see you on the sly?—Not to see me.

7064. Whom did they come to see on the sly?—They came to work for my son and husband, a few, on the sly.

Cross-examined by Mr. LOCKWOOD.

7065. You did not mention when this was?—I did not keep an account of the date; I did not think it would ever come to anything like this.

(*Mr. Lockwood.*) My Lord, if this lady mentioned the year, I will not trouble her to repeat it.

(*The President.*) October 1880.

7066. (*Mr. Lockwood.*) Where was it?—At Killola parish.

7067. Did you hear what Father Coyne said afterwards?—No, I never heard it.

7068. It is only what you heard, you tell us what you heard. Did you stop to hear what he was talking about?—None of the country people came in, and I did not hear much about it. They did not come near us.

7069. (*The President.*) What was your position in life?—My husband's.

7070. Yes, your husband's?—My husband was a farmer, and my son was also.

7071. What?—My husband and son were farmers.

7072. (*Mr. Justice Smith.*) What sort of farm did they occupy, or did he occupy?—I think about 190 acres. I think we had another mountain farm at the time, but I cannot quite recollect whether we had or not.

(*The President.*) We have not got what this is supposed to be arising out of.

(*The Witness.*) I could not swear, my Lord.

(*Mr. Ronan.*) The next witness will make it quite clear.

(*Mr. Lockwood.*) Of course if anything should turn upon this subsequently we may have this witness back if we wish to ask any questions.

(*The President.*) Yes.

EDMUND O'FLAHERTY sworn; examined by Mr. RONAN.

7073. Are you son of the last witness?—Yes.

7074. Do you know Mr. Robert Martin, a landed proprietor in your part of the country?—I do.

7075. In the summer and autumn of 1880 was there a bad feeling against Mr. Martin in the country; some difference with his tenants?—There was.

7076. In the autumn of 1880, was your father living then?—Yes.

7077. Did you or your father take a portion of the grass land of Mr. Martin's demesne?—I took it myself.

7078. You lived in the same house with your father and mother?—Yes.

7079. Did you put stock on that grass? You took cattle and stock?—Yes.

7080. Shortly after you had taken it, was there a meeting at Killannin?—I heard so.

7081. How far is Killannin from you?—About two English miles.

7082. Immediately after that meeting, did labourers leave you after that?—They did.

(*Mr. Lockwood.*) Has he fixed the date?

7083. (*Mr. Ronan.*) It is in October 1880. Can you tell me the day of the month the meeting was?—No, I cannot; but I believe it is in October.

7084. Did you receive a letter from Father Coyne?—I did.

7085. Have you got that letter?—No, I have not.

7086. Or a copy of it?—No, I have not got either.

7087. Did you destroy it?—I did.

7088. Will you tell their Lordships, as far as you can remember, the substance of that letter?—That it was against the rule——

(*Mr. Lockwood.*) One moment. I was only endeavouring to ascertain, if I could, at once whether this gentleman whose letter is about to be proved is connected with



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SERGEANT LANGFORD.

the branch of the Land League; because if my friends are able to show that your Lordship will admit the letter, but unless they are you would not; they must lay some foundation for that, or you will not admit the letter.

(*Sir Henry James.*) There are a number of his speeches.

(*The President.*) At the Land League meeting.

(*Sir Henry James.*) Yes.

(*The President.*) We shall bear it in mind.

7089. (*Mr. Ronan.*) Do you know Father Coyne?—I do.

7090. Was he connected with the Land League in your district?—I believe so.

7091. Tell their Lordships the substance of the letter you received from Father Coyne as well as you remember?—He said it was against the rules to take any land, and that he would be sorry to do me any harm—reluctantly, or something like that—and that he would keep his word, and asking me to give it up, and that there were some other parties, naming two other parties, that were taking it, and that they did not take it in consequence of his asking them not to.

7092. (*The President.*) In consequence of his asking them not?—I wrote to them afterwards about it.

7093. (*Mr. Ronan.*) Did he say what he would have to do to you if you did not give it up?—I could not exactly say. I do not know that he threatened me in any way. I do not believe he did, but he asked me to give it up.

7094. (*The President.*) Asked you to give it up?—And said that some other persons were about taking it, and they would not take it against his wishes.

7095. (*Mr. Ronan.*) Do you know Sergeant Langford?—I do.

7096. Did he show you the letter?—He did.

7097. Did you give up the grass land?—I had only taken it from September till May, and I gave it up when the term was out.

7098. Was there a man named Niland who was holding a farm for you?—Yes.

7099. Was that the farm which Michael Sullivan had surrendered a short time before?—Yes.

7100. Did you see the bullet marks on Niland's house?—I did, on the floor of his house.

7101. Did Niland leave your employment after you saw these bullet marks on his house?—He partially stopped from herding. He told me he would rather attend to the cattle privately for me, but he would not let the neighbours or people know that he was looking after the land, he would do it privately, or he would be boycotted.

(*Mr. Lockwood.*) I do not ask you anything.

Sergeant LANGFORD sworn; examined by Mr. RONAN.

7102. Did you see this letter which Father Coyne had written to O'Flaherty?—Yes.

7103. Tell their Lordships the purport of that letter as well as you can remember it?—The letter commenced "Sir, I hear you are about taking the grass land at Ross. You know our rules are against it. If you take it I shall be obliged, though reluctantly, to bring you before the public"; and then it said "I am a man who keeps my word," and the man who keeps his word was underlined, and then it was signed, P. Coyne, and two other letters underneath the name Coyne, and then there was a postscript—"You are aware that Messrs. Lyons and Ashe were about taking it, and that they did not." That was as well as I can recollect.

7104. Were you stationed in the district at that time?—Yes.

7105. What was Father Coyne's position in the locality, generally reputed?—The general reputation was he was president.

7106. President of the local league?—Yes.

Cross-examined by Mr. LOCKWOOD.

7107. Was this letter shown to you?—Yes.

7108. Did you give it back?—Yes.

7109. You have not seen it since?—No.

7110. That was in the year?—In the year 1880.

7111. You read it through?—Yes.

7112. And handed it back?—Yes.



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SERGEANT LANGFORD.

[Continued.]

7113. That is all you have seen of it?—Yes.

7114. You profess to tell my Lords now this recollection of yours of this letter, which was obtained in 1880?—I, immediately after reading it, took out my tablet, and took a copy of it.

7115. Show me the tablet you wrote?—I have not the tablet.

7116. Where are they?—I took it at the station in the scribbling diary.

7117. Where is it?—It is in my portmanteau at the hotel.

7118. I should very much like to see it?—And I took a copy.

7119. Have you got it with you in London?—Yes; I have something in my pocket.

7120. I should like you to bring it when this Commission meets. I should wish to see that?—I have an extract that I took from that diary last night (*producing a book*), which was handed to Mr. Lockwood.

7121. Do you say this is a copy of what you had in your scribbling diary?—It is.

7122. When did you copy this?—I copied it last night.

7123. Bring your scribbling diary next time?—I will.

(*The President.*) Will you look at it Mr. Lockwood?

(*Mr. Lockwood.*) I will.

(*The President.*) I mean it was with reference to keeping the witness that I asked.

(*Mr. Lockwood.*) Probably it is a document he might leave

(*The Witness.*) There are other memorandums in it of consequence.

(*Mr. Lockwood.*) There will be no difficulty. May I ask a question upon that.

7124. I suppose this diary of yours you can leave very well with some gentleman?—No, there is a description of writing in it connected with several subjects, and I recollect writing this immediately after.

7125. I mean there would be no objection to your leaving the scribbling diary here with any of these gentlemen that you have been in connexion with?—Certainly I should.

(*Sir Henry James.*) Does he say he would object?

(*Mr. Lockwood.*) He would not have an objection, he says. I think it is as well we should see the document. He says he wrote it at the time. There is a somewhat material contradiction in his evidence.

(*The President.*) No.

(*Mr. Lockwood.*) My Lord, I do not think my suggestion was meeting approval, at any rate from one of your Lordships.

(*The President.*) No one expressed any opinion.

(*Mr. Lockwood.*) My observation did not apply to your Lordship.

(*The President.*) What do you say now?

(*Mr. Lockwood.*) I am anxious to see this document, my Lord.

7126. (*The President.*) Have you any immediate use for this? I mean, could it be left for a few days?—It could, my Lord; but this was an old book that I copied when I returned to my station, everything connected with my business, and there are several matters in this, and I have discovered a copy of this letter in it.

(*The President.*) If there be anything else that ought not to be disclosed that can be covered up, but this entry which he says is in the book might be exposed, and when it has been seen by Mr. Lockwood, it might be seen here.

(*Sir Henry James.*) I understand there is no difficulty in keeping the witness here till Tuesday.

(*Mr. T. Harrington.*) We ought to be allowed an opportunity of looking at the dates, both before and after the entry.

(*The President.*) We have got over the difficulty.

Adjourned till Tuesday next at half-past 10.



“*Uncorrected Proof.*”

SPECIAL COMMISSION ACT, 1888.

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ROYAL COURTS OF JUSTICE,

PROBATE COURT No. 1.

Tuesday, 13th November 1888.

(*The President.*) There was a discussion at our last meeting upon the subject of the admissibility of certain evidence. It was proposed to ask certain employers whether any and what reports had been made to them by persons in their employment, concerning property in the charge of those persons. We took time to consider our decision, and I have now to state the conclusion at which we have arrived. The questions were addressed to the employers of two herds, as to what reports they made with respect to the subject of the property entrusted to their charge. I am satisfied, speaking for myself, that there was a misunderstanding between the Court and Counsel upon that subject. The arguments of Counsel were addressed to showing that hearsay evidence would not be proof of the facts alleged to have been stated. It never was the intention of the Court to lay down anything to the contrary of that. The question which I expressed an opinion upon, and believed, and still believe, I had the concurrence of my colleagues, was this: that the fact that a particular report had been made by a person in the discharge of his duty, was admissible in evidence, not that the contents of that report were to be taken as evidence of the facts. And it may be illustrated in this manner. Suppose, instead of it being the employer, the employed had been called to state the facts. He might have been asked, as I conceive, did you report that to your employer at the time, and in the same way the employed may be asked the fact whether the employer made the statement at the time. The bearing of such evidence is not to prove that the facts so stated were true, so that if it were so left, it could be said that there was evidence of those facts; but it has this bearing if the person employed were to say, No, I made no such report, I did not say anything about it to my employer, that would have a tendency to discredit the fact which he came to speak to. And, on the other hand, the fact that the report was made in the discharge of his duty at the time is admissible in evidence. But, as I say, if it rested there, without there being any evidence of the facts themselves, that would be disregarded by the Court. That is the opinion we have arrived at on this subject.

There is another matter which was raised, as to which I do not know that it is necessary to say anything at present. However, I will say, all that presents itself to my mind, and that was as to certain claims which were made by the employers. Claims, I mean, for compensation. When it appeared that these claims had been made in writing, we at once said, as we had said at an earlier stage of the inquiry, that the writings must be produced; but still, if the writings were produced, the objection that Sir Charles Russell took would stand, namely, that the claims in themselves were not admissible. Upon that we are of opinion that they are admissible. Again, let it be pointed out that there was a broad distinction between a document being admitted in evidence, and its being accepted as proof of the facts which are alleged in it. Of course, the fact of a man making a claim would not prove the grounds upon which he made the claim; but we are of opinion that it is admissible in evidence that he made the claim at the time; and that it is an essential part of it, that the grounds on which he made that claim should be stated. It is a declaration accompanying an act which it is necessary, for the purpose of showing what its character was. We think those two branches of evidence, upon the grounds I have stated, and upon those two grounds only, are admissible.

(*Mr. Justice A. L. Smith.*) I have nothing to add to what Sir James has said because I entirely agree with what he has said, and also with the grounds upon which he has stated it.



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[Continued.]

(*The Attorney-General.*) Then, with regard to the documents, my Lord.

(*The President.*) Now, with regard to the documents, we have examined them. I cannot say that absolutely every document has come under our eyes, because, in some instances, we have thought that specimens enabled us to judge of the class that they represented. We have examined the documents and we are of opinion that with regard to some of them, that they ought to be disclosed. I refer particularly to some documents which were alleged to have come into the possession of Mr. Soames, and to have been written by certain persons amongst those against whom the charges and allegations were directed. They appear to be admitted to be spurious, and were rejected by Mr. Soames because he thought so.

I think from his point of view that he was justified in not including them in the documents in the appendix. But we have undoubtedly a larger discretion to exercise in the matter, and we are of opinion that those documents ought to be disclosed upon this ground. It is alleged on the side of those charged, that certain documents are forgeries; and we think that they are entitled to have the assistance, which it is conceivable they may derive, from the examination of those other documents. For example, it might be that the handwriting of those documents produced to Mr. Soames, and rejected by him, might be shown to be in the same handwriting as the documents which are said to be in the handwriting of Mr. Parnell. I use that only as an illustration, and there other ways in which they might be imagined to be of importance. We are of opinion that they ought to be disclosed. We have also found some documents in the handwriting of Mr. Davitt, and we are of opinion that in fairness to Mr. Davitt they ought to be disclosed. It is not necessary now to point out the bearing of these documents, because I may observe generally with respect not only to those in which Mr. Davitt is more particularly interested, but others to which I have referred, the fact of our directing that they should be disclosed to the other side does not make them evidence. If it should be sought hereafter to use them in evidence their admissibility will depend on other considerations than those to which I have now adverted.

With regard to the mass of documents, we have examined them, and we find in them nothing inconsistent with the statement which has been made on oath regarding them. They appear to be documents relating exclusively to the case of *O'Donnell v. Walter*, and they do not in any way tend to assist the case of the other side. We are of opinion that they are not documents to which the persons charged are entitled to inspection. It has, however, occurred to us that with regard to many of them there may naturally arise this sort of observation upon them: "We knew nothing of these" documents, and we are, therefore, not prepared at the moment to deal with them." That will be a ground for applying for delay in dealing with them, which of course will be listened to. But I must say, in considering this question of the disclosure of the documents, we cannot fail to see that the disclosure of them would show the witnesses who were about to be called. And that is not what litigants are entitled to. They are not entitled to know the names of witnesses by whom the case is proposed to be supported, and we must be careful in our search after truth that we do not obstruct its sources, and that there is some reason to fear that the mention of names might be an impediment in the way of justice may be illustrated by the fact that I, myself, several days ago received a threatening letter.

(*Sir C. Russell.*) I have received several.

(*The President.*) I daresay. We all of us engaged in this inquiry in various ways are the subject of such attempts; but the fact that anyone should venture to threaten a member of this Court makes it not an improbable thing that means of intimidation might be brought to bear upon the witnesses if their names were improperly divulged. Upon these grounds we do not think those documents I have mentioned should be disclosed to the other side.

(*Sir C. Russell.*) As I have had no opportunity of discussing what the documents are, or of discussing the matter before the Court, I assume it will be convenient that the Secretary of the Commission should, under your Lordships' direction, make some kind of schedule of the class of documents to which your Lordship refer.

(*The President.*) Yes.

(*Sir C. Russell.*) The documents which we are entitled to see, and some description of those your Lordships think at present we are not entitled to see, so that we may at least know their character and nature.

(*The President.*) You shall have the documents I refer to at once; but I am not able



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[Continued.]

to see, at present, how I am to meet your request as to the others; but whatever can be done shall be done.

(*The Attorney-General.*) May I make one observation with respect to Sir Charles Russell's statement. Of course, with regard to the documents that are to be seen there is no difficulty. With regard to the others, your Lordship's previous judgment has been this: They are fairly within the protection claimed on oath by Mr. Soames, and your Lordship has so decided; and, therefore, that being so, my learned friend would not be entitled to anything which would enable them to get part of the information without further application. I just mention that.

(*Sir C. Russell.*) I understand clearly one exception your Lordships make, and it is the only one I do fully appreciate, namely, with regard to a certain class of documents you have come to the conclusion that they were, so to speak, brought into view in the case of *O'Donnell v. Walter*, and that they have no bearing, your Lordship was understood to say, in the issues on this case. So far as that exception I at once admit that that was a perfectly proper ground upon which we could make no complaint; but, with that exception, speaking for myself, I have not been able to appreciate why there is any other instance of that exception. I will illustrate what I mean. Your Lordship said in discovering a person is not entitled to know the name of the witnesses who are going to be called against him. I agree, but he is not to be precluded from his right of discovery of particular documents merely because that discovery might put him in possession of information as to who were going to be called against him. Therefore I desire, without keeping up the discussion unnecessarily long, respectfully to submit to your Lordship that we are entitled to such a description as you think proper to give us of the documents which at present your Lordship think we ought not to see in order that we may have an opportunity of discussing that which we have never yet had an opportunity of discussing, namely, arguing our right to see them.

(*The President.*) You must remember it was agreed that we should examine the documents; and that has put the matter in a totally different position to which it would have been if that request had not been made to us. I have given the reason why we do not consider that you are entitled to inspection, namely, upon the ground that, from our examination of them, we do not find there was anything inconsistent with the statement made upon oath by Mr. Soames, and that, therefore, you were not entitled to inspection. I have further given some reasons why, in the exercise of our discretion, we think it would be calculated to impede the due course of justice if we allowed them; but I have further added they shall be scheduled; and if I can find anything which leads us to think that we can make an exception with regard to them, we shall take care to exercise our best judgment upon the matter.

(*The Attorney-General.*) My Lord, there were some documents handed in which we have never seen of Mr. Lewis'.

(*The President.*) Oh, yes; I had forgotten to mention them. We are of opinion that there is nothing in that which calls for discovery.

(*Mr. Bucknell.*) Will your Lordship allow me to mention, or rather to make an application on behalf of the Marquis of Clanricarde, with regard to that which I am told amounts to an order by your Lordship's Court.

(*The President.*) No; no order has been made.

(*Mr. Bucknell.*) No order.

(*The President.*) No order has been made. If an order had been made I do not know that we should be able to hear you.

(*Mr. Bucknell.*) If no order has been made it may be said I have no *locus standi* to make an application; but as it is understood by the Marquis of Clanricarde, and it has been generally gathered from the report of the proceedings in this Court as reported in the daily papers, that an order was made, or rather something which amounted to an order, there being no objection on either side—

(*The President.*) No order has been made. I suppose your desire is to be heard against any such order being made.

(*Mr. Bucknell.*) If your Lordship pleases, and therefore, until such order has been made I need make no application.

(*The President.*) Very well.

(*Mr. Bucknell.*) Your Lordship will allow me to remind you Mrs. Blake, the widow of the murdered agent to Lord Clanricarde, was asked by Sir Charles Russell whether she had in her possession certain letters showing her husband's views, and urging



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[Continued.]

his principal—I am using the words of the question—that the reduction of rents were necessary, and the answer was that she had.

(*The President.*) I do not really see what *locus standi* you have.

(*Mr. Bucknell.*) If no order has been made——

(*The President.*) Well, but I do not mean in that respect. I am going beyond that, I do not see how somebody who it is supposed may be affected is entitled on that ground to come before us and argue.

(*Mr. Bucknell.*) My Lord, my argument is of a very limited nature; because Lord Clanricarde, acting under my advice, does not propose to oppose the jurisdiction of the Court; and he admits the power of your Lordships to direct that any correspondence relative to the matters before you, should be produced, even though they amount to letters written to Lord Clanricarde by the deceased agent. But the application I have to make to your Lordship is this, and I think you will see the justice of it, that seeing this correspondence was of a strictly private and confidential nature, between Lord Clanricarde and his late agent, Mr. Blake, and seeing that a court of competent jurisdiction in Ireland has, for good reasons in that case, directed that they should not be published (and we can well understand the reasons for it), although, if that correspondence can be shown to throw light upon the matters which are now before your Lordships, of course that correspondence should be forthcoming; and Lord Clanricarde, as I have said before, acting on my advice, will not object or ask that that correspondence should not be forthcoming, but what I do ask on his behalf is this: that only such of the correspondence as is relevant should be produced. Now, there is a mass of correspondence which has passed during the agency of Mr. Blake to Lord Clanricarde, which, as I have said, is entirely of a private and confidential nature, and could in no way throw any light upon matters which your Lordship is asked to decide. There may be, on the other hand, some letters—I do not know, I have not read them—which you might think might be relevant to the matters before you, and my application is on behalf of the Marquis of Clanricarde, that you should be good enough to look at that correspondence yourselves, which is now in Ireland, and say what you think shall be produced, and what you think shall not be produced. Because, unless such an order is made the whole of this correspondence will be handed to my learned friend on the one side, and on the other, for them to deal with in the way they think fit in the interests of their clients. And although I am sure they would not do that which they would intend should be improper or unjust to the Marquis of Clanricarde, it is possible it might have an effect which would be unjust and cruel to him. Therefore my application on his behalf is that you would be good enough to see the correspondence, and to say what is relevant and what is not relevant. Lord Clanricarde says at once he submits to the Court, and says they shall be produced. On the other hand, that which is not relevant he asks should be kept confidential in the same way in which it was addressed to Mrs. Blake. That is the application which I have to make to your Lordships in the matter.

(*Sir C. Russell.*) Perhaps I may be allowed to say, as far as we are concerned, that if any definite order is asked for from your Lordships, we should undertake not to make any such application without notice to my friend; and as regards the statement my friend has made, I think it is inconvenient on several grounds. In the first instance your Lordships would have a number of documents of which you have a very great mass already, and which your Lordships might think would make an impression on the minds of those who read them, which may or may not be injurious to the views of one side or the other, and which one should have no means of meeting. Therefore I object to my friend's suggestion with regard to being able to judge of the relevancy of the documents or any part of them. As to that I respectfully submit your Lordship would not be able to give any decision until you have heard the case of those representing the parties.

(*The President.*) It must stand over for the present.

(*Mr. Bucknell.*) I can hardly think my learned friend Sir Charles Russell is serious in his contention before the Court, namely, that the perusal of the correspondence may affect the minds of those who peruse them. I do not think my learned friend can be serious in that contention.

(*Sir C. Russell.*) I am.

(*Mr. Bucknell.*) He has not dealt with this, which is my point, that this Court will not any more than any other deal by what I will call an wholesale order, that all the



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SERGEANT LANGFORD.

correspondence which has ever passed between Lord Clanricarde and Mr. Blake should be handed forth to litigants in a matter of this description by the widow of the late Mr. Blake to be dealt with by them as they think fit.

(*The President.*) I think we are in possession of your views, and we must deal with it when it comes on in the regular way.

(*Sir H. James.*) My Lord, when we terminated our proceedings on Friday, Inspector Langford was in the box, and there was a question of an entry he had made, and which was at the hotel. He at once, within an hour, placed that document in Mr. Soames's charge, and I have shown it to my friend.

(*Mr. Lockwood.*) My friend, Sir Henry James, has handed this document to me. It is pinned down, I understand, from my learned friend, and the only portion of this document that is relevant to this matter and before you is now exposed. I should ask your Lordships kindly to look at this document, and you will see the circumstance under which this copy was said to be written. I understood from the evidence given on the last occasion that Langford stated that immediately after reading it he took out his tablet and copied the letter. That I understood to be his recollection of what had taken place. I am looking at the last page of the shorthand notes of Friday. It is at the top of the page.

(*The President.*) Yes.

(*Mr. Lockwood.*) Will your Lordship, bearing that in mind, kindly look at this document (*handing in the document*)?

(*The President.*) "I took it at the station in a scribbling diary."

(*Mr. Lockwood.*) I was looking at Question 7114.

(*The President.*) "I took it at the station in a scribbling diary."

(*Mr. Lockwood.*) It is a little above that, my Lord.

(*The President.*) "Immediately after reading it I took out my tablet and took a copy of it. (Q.) Show me the tablet you wrote?—(A.) I have not the tablet. (Q.) Where are they?"—that would mean where is it—(A.) "I took it at the station in a scribbling diary."

(*Mr. Lockwood.*) If Langford was here I was going to ask permission to recall him and put a question on these documents; but, first of all, I will justify my application by handing this document to your Lordship. Perhaps I should make what I am anxious to call your Lordship's attention to clearer by utting a question to him.

SERGEANT LANGFORD recalled; further cross-examined by Mr. LOCKWOOD.

7127. I understood you to tell my Lords on the last occasion that you wrote this copy of the letter down immediately afterwards in the station, that is, immediately after you had seen it?—Yes.

7128. Can you tell me from any documents in your possession as to what date it was when you saw this letter, in fact the only occasion when you saw it?—I believe it to be the last days of September; some of the last days of September 1880.

7129. Is it not a fact that after you had seen that letter you then on a subsequent date, namely, about the end of October, endeavoured to obtain the original letter?—I did endeavour to obtain the original letter.

7130. Was not that about the end of October?—I really do not know.

7131. The 28th October I put to you as a date; did you ever write down your recollection of that letter until you found that you could not obtain the original?—I did; I wrote it at the station; I wrote it on my tablet first, and had it in my tablet.

7132. I must ask you to take this document in your hand. Just look at that; is that what you call the tablet (*handing some papers to witness*)?—No.

7133. Then you mean to say that that was copied from something else?—I wrote first—

7134. Answer my question, please. Do you mean to suggest this, that your recollection of the letter as shown there was copied from any other source?—It was copied from a pocket-book, a small tablet that I have.

7135. Look at the letter, as you have written it down there, with the alterations?—Yes.

7136. Do you mean to say that that is a copy from anything else?—I do.

7137. Just hand the document to me and let me read it to you. You begin here.



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[Continued.]

you know, on the 28th October, stating that you endeavoured to get the original letter?—Yes.

7138. And then you write as follows: “I beg to state I have been to see Mr. O’Flaherty upon this, and have endeavoured, but unsuccessfully, to get the letter from him. I give underneath some words I recollect from reading it,” and then you go on, “Sir, I have heard you are about taking the grass farm at Ross, you know our rules are against it” Written in: Then you have put in first of all “to give it up” and then some words I cannot make out—that is scratched out—and then you go on again, “If you take it I will be obliged,”—then other words are put in—“or expose your name.” That again is crossed out, and then you go on—“reluctantly to bring you before the public. I am a man who keeps his word.” I ask you, is not that your recollection, written on the 28th October, unaided by any copy?—I believe still that I took a copy after speaking to Mr. O’Flaherty, on my tablet.

7139. But you do not suggest that this which you have written here is from any other source than as you say from your recollection?—I certainly took a copy after speaking to Mr. O’Flaherty.

(Mr. Lockwood.) It speaks pretty much for itself, I think. Then, Sir Henry, you say there was some other document.

(Sir H. James.) That is with the Court; that is what he produced, and it was handed to the Court.

(Mr. Lockwood.) I do not wish to make use of anything more than the document that was exposed.

(The Secretary.) This is to go in, is it?

(Mr. Lockwood.) The only portion of the paper that I wish to go in is the one that is exposed.

(Sir H. James.) Certainly. There are other matters we had of a private and confidential nature which are not relevant to this inquiry.

(The Secretary.) I will have an attested copy made by one of the clerks of this page.

(Sir H. James.) A *fac simile* copy.

(The President.) A *fac simile* copy with the alterations.

(Mr. Lockwood.) That is the point I wished to call your Lordship’s attention to; may I put another question to Sergeant Langford as to other matters to which my attention has been called. I have no right to do it without your Lordship’s permission.

(The President.) Oh, yes.

7140. (Mr. Lockwood.) Were you acquainted with the family of O’Flaherty before this incident?—Yes.

7141. Do you say that you were in the chapel on the Sunday when Father Coyne alluded to the O’Flaherty family?—No.

7142. You have no report of that?—No.

7143. Had you heard of the Bishop of the diocese having censured a member of the family on a previous occasion?—No.

7144. For something quite apart from this question of taking land?—No.

7145. You heard nothing of that?—No.

7146. Did you hear that after this incident had taken place at the chapel that Father Coyne received a threatening letter?—I never heard that.

7147. But you say you never heard anything as to the Bishop of the diocese having censured a member of the O’Flaherty family on a previous occasion?—I never heard it.

7148. (Sir H. James.) This occurred exactly eight years ago. Have you given to the court the best information you can from your memory as to the contents of this letter?—Yes.

(Mr. Davitt.) My Lords, may I be allowed, in company with Mr. Lewis, to inspect the documents this afternoon which are said to have been written by me?

(The President.) Yes. I do not know about this afternoon, it shall be done as speedily as possible, there shall be no delay. In all probability they will be handed out to Mr. Lewis in the course of the afternoon.

PAT KENNEDY sworn; examined by Mr. ATKINSON,

7149. What is your name?—Pat Kennedy.

7150. Where do you live?—I object to that,



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PAT KENNEDY.

[Continued.]

7151. To tell where you live?—Yes.

7152. Is it where you live in London or where you live in the country you object to give?—Where I live in the country, sir.

7153. Did you take a farm from a woman of the name of Catharine Dempsey?—Yes. (Sir C. Russell.) My Lords, surely we want to know something about this case, we must have it in some way localised.

(The Attorney-General.) If my learned friend will pardon me, it is no evidence at all on the question with regard to the case of the farm; it is a question of where the man is now at present living.

(Sir C. Russell.) Oh, very well.

7154. (Mr. Atkinson.) You took a farm from a woman named Catharine Dempsey?—I took no farm from Catharine Dempsey.

7155. You took a farm from which a woman named Catharine Dempsey had been evicted?—I did.

7156. Where was the farm situated?—It was in the townland of Kilebeg, in the county of Galway.

7157. At that time did you live at some distance from your farm?—I did.

7158. Do you remember is there a village called Mullagh near this farm?—There is.

7159. Was there any Land League established in Mullagh at the time you took the farm?—There was not.

7160. About what time did you take it?—I took it in April 1879.

7161. What was the village near which you lived at this time?—The townland of Carrew, the next village to which I lived.

7162. Do you know a man of the name of Martin Halloran?—I do.

7163. Where does he live?—I believe, by all accounts, he lives in a place called Kiltullagh.

7164. Is that near this place Mullagh?—No: I think it is beyond seven miles.

7165. Is it near the place where you yourself reside?—No.

7166. What is Martin Halloran, or was he, at the time?—They say he is a wheelwright.

7167. Do you know a man of the name of Cunningham, a reporter on the papers?—I do, sir.

7168. Do you know a man of the name of John Farrell, a railway clerk?—I do.

7169. Did those three men come to you; had they an interview with you in October 1880?—They did, sir.

7170. Have you since ascertained that they were members of the Land League?

(Sir C. Russell.) How has he ascertained?

(The Witness.) I could not account for that.

7171. (Mr. Atkinson.) Have you attended any Land League meetings?—I have, sir. I had not attended no Land League meetings then.

7172. Have you since attended Land League meetings?—I only attended one meeting in November 1880.

7173. Were these men present at the meeting?—There was two of them.

7174. Which were the two?—Cunningham and Halloran.

7175. Where was the meeting held?—It was held in Kilebeg.

7176. Was it on this farm of Mrs. Dempsey's?—It was.

7177. Held on the farm?—On the farm.

7178. Who were present at it that you know?—There was one, Hogan.

7179. What was he?—Well, I could not say what he was.

7180. Was Mr. Mat. Harris at it?—No, sir.

7181. Or Mr. Sheehy?—No.

7182. Were any speeches made at the meeting?—There were three or four speeches in my presence.

7183. Did you see a man of the name of Malachi O'Sullivan there?—I did.

7184. Did he speak?—He did.

7185. Can you remember the substance of what was said by any of the persons speaking?—I do not remember much of it, but O'Sullivan said he hoped the grass might wither beneath their feet.

7186. The grass might wither beneath whose feet?—I suppose it was mine.



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[Continued.]

7187. Was there anything else said about any particular farm; about any person's land?—Another man made a speech, Halloran; I remember some about it. He said he came all the way from New Inn to evict the landgrabber, and to reinstate the widow and her five orphans.

7188. Did he name the widow?—He did.

7189. Mrs. Dempsey and her five orphans?—Yes.

7190. Were there many people at the meeting?—I believe 600 or 700 or over. I do not know; I could not exactly say.

7191. Who was it who said he had come all the way from New Inn to reinstate the widow?—Martin Halloran.

7192. Is he the man who had an interview with you in October?—He did.

7193. Was he on the platform at this meeting?—He was.

7194. Did he make a speech?—He did.

7195. What did he say to you on the first occasion when he came to you in October?—He had not much to say to me, it was Cunningham spoke to me, he was with him at the time.

7196. Did Cunningham say anything to you in Halloran's presence?—He did.

7197. Just think what Cunningham said, the substance of it as far as you can remember?—I met him somewhere about 5 o'clock, in October, they were going to visit the farm.

7198. Going to visit what farm?—Kilebeg farm.

7199. That is the farm that Mrs. Dempsey had previously, and you had taken?—Yes.

7200. What was said?—He talked to me about how this woman had been unjustly evicted and they were going to reinstate her.

7201. Do you remember anything more they said?—And said that she had the rent to pay and it would not be taken, he told me she had the rent to pay, that she had six months' rent and that she proffered the rent and that it was not taken from her. I said if she had the rent they could not refuse it, and then he says to me if I don't give up this farm that I would meet so and-so.

7202. Did he say what you would meet?—He did not say what I would meet, but those are the words he used, that I would meet so-and-so.

7203. What did you say to that?—I said, "very good"; that is the answer I made him.

7204. Did they leave you then?—They did.

7205. That was before the meeting was held on your farm; after the meeting was held on your farm, did two men come to you?—No, sir.

7206. After the meeting?—Is that the meeting that was held in November 1880.

7207. Yes, after that meeting, on the day of the meeting did any persons come to you?—Yes, two men came to me and asked me if I would give up the farm.

7208. Were those men on the platform at the meeting?—I believe they were.

7209. What did they ask you?—They said if I gave up the land I would have nothing at a loss and there would not be a man in the country that would be thought more of.

7210. In the following spring did you send a communication to the Central Office of the Land League in Dublin?—I did.

7211. Did you get any reply to it?—I did.

7212. Have you got the reply; was it by letter you got it?—It was.

7213. Have you got the letter?—No, I gave it to the Mullagh Branch.

7214. Had there been a branch of the Land League established at Mullagh?—There had been at this time, in March 1881.

7215. Who was the president of the branch?—It was Mat. Ryan's son.

7216. Who was Mat. Ryan?—He was one of the greatest stock masters in this locality.

7217. Who was the secretary?—He was the secretary, his son.

7218. And who was the president?—I could not exactly say. I think it was the parish priest.

7219. To whom did you show this letter you got; to what member of the Mullagh local branch did you show the letter you got from the central office, or give it to him?—I went to Mat. Ryan's house and he was not at home, and I talked to his missus about it, and she told me he was not at home,



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[Continued.]

7220. Did you bring it to any person's house then?—To the best of my opinion I brought it to a man who was convenient, to convey it to him.

7221. Did you afterwards bring it to the parish priest?—No; I do not believe I brought it to the priest.

7222. Did you go to the house of the parish priest?—I did.

7223. Father Bodkin?—Aye.

7224. Had you the letter with you at the time?—I had, but I did not give it to him. I gave him a letter which I got from another priest.

7225. Was Father Bodkin the person whom you said was president of the Mullagh Branch?—I could not exactly say.

7226. Did you see him in attendance at the Mullagh Branch?—I attended the Sunday after, but I did not see him. I was talking to the secretary of the branch.

7227. Who was that, did you say?—Mr. Ryan's son.

7228. When were you talking to him?—I could not give the days.

7229. After leaving Father Bodkin's house on this Sunday did you meet the secretary of the League?—It was not on a Sunday; it was on a week day I went. I did not meet the secretary that day. I went to Mr. Ryan's house, and he was not at home. I was talking to Mrs. Ryan, and she told me he was not at home. Then I gave that letter to a man to convey to the secretary of the branch, Mr. Ryan, and I came on the following Sunday after to him.

7230. You had then a conversation with Ryan on the following Sunday. Was that in reference to that letter?—It was.

7231. What did you say to him?—I talked to him about paying my losses; that I would give up the land to whom I got it from.

7232. What did Ryan say to that?—He says it will cost some delay.

7233. Cost whom some delay?—Cost him some delay in writing backwards and forwards to the Central Branch, and he said he would give me directions to go up to Dublin to Mat. Harris about it.

7234. Where to?—To Dublin; he was at Dublin at the time.

7235. Did you know Mat. Harris?—I did not exactly know him at that time.

7236. Did he say what connexion Mat. Harris had with him?—He said he was the only man to go to to reason about cases at the time.

7237. Did you go to Dublin?—I did not.

7238. What did he say about Mat. Harris; tell us again?—He said he was the only man to go to who had anything to do with the business at the time who could tell me what about it.

7239. Do you remember the words he used, as near as you can; what did he tell you to do, to go to Mat. Harris to do what?—To explain about my losses to him, whether I would get them or not.

7240. Did you go?—No, sir.

7241. Did you then till the land?—I tilled it, and I got no account.

7242. You did what?—I tilled the land in a few days after.

7243. You need not be afraid. A short time after that were you put under police protection?—I was, in April. The latter end of April 1881 I got protection.

7244. Do you know what being boycotted is?—I do, sir.

7245. From April 1881, when the police were put on to protect you, were you boycotted?—I was slightly boycotted; but it took no great effect on us at the time.

7246. After sometime did the Land League cease in Mullagh?—It did.

7247. About when did it cease to exist, what year?—I got no annoyance from 1883 to 1886.

7248. Was the Land League in existence in these years, from 1883 to 1886, or had it been suppressed?—I believe it had been suppressed.

7249. Did you see any meetings held there in those three years of the Land League?—I could not exactly say. I attended no meetings.

7250. Do you remember if there was any branch of the National League started in Mullagh in the year 1884?—I have no knowledge of it.

7251. Did you begin to get annoyance again from the neighbours?

(*Sir C. Russell.*) He has not said anything about annoyance.

(*Mr. Atkinson.*) He said he got no annoyance from 1883 to 1886.



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(*The Witness.*) The people were on good friendly terms with me up to July 1886, with the exception that there were people who would not speak to me.

7252. In July 1886 did you see any change in the demeanour of the people towards you from what there had been for the three or four preceding years?—Not greatly until there was an auction in a place called Lenduff.

7253. What happened at the auction?—There was an auction held there, and I bid for a lot, and it was knocked down to me, and they wanted my name, and the auctioneer would not give it me. He refused me for it.

7254. Did he give any reason?—Well, no reason; but when I told him my name he told me he would not give it me.

7255. What was the name of the auctioneer—do you know?—Andrew M'Intee.

7256. The latter end of the year 1886 did you receive a notice in reference to a meeting?—I did.

7257. Have you got the notice?—I gave it to Sergeant Hennessy.

7258. Are you sure you gave that first notice to Sergeant Hennessy?—It was a printed notice.

7259. After the receipt of that printed notice was a meeting held upon your farm?—There was a meeting held on the 21st of November 1886.

7260. Did you attend the meeting yourself?—No.

7261. Did any persons request of you to attend it?—They did. Two men came for me to bring me down to give up the farm.

7262. What were their names?—Johnny Quinmeth.

7263. Who was the other?—I think it was Joseph Holland.

7264. Did you see the men assemble on the farm?—I saw them at a long distance.

7265. Were there many there, as far as you could judge?—I could not exactly say how many, but there was a large number.

7266. That was on the 21st of November?—Yes.

7267. Did you see your stock on that day?—I saw my stock on the morning of the 21st of November.

7268. Next day did you examine your stock?—I did.

7269. Was that the stock which was on this farm?—Yes.

7270. Did you find anything wrong with them?—I missed the most of the stock off the land.

7271. How many did you miss, how many head?—About eight or nine head of cattle; and there were something about 30 sheep gone.

7272. Did you ever find them?—Well, I did. I looked for them next day. I had no one to speak to me or tell me where they were.

7273. Did you ultimately find them?—I did.

7274. Where?—I found some of them a mile-and-a-half from the land.

7275. Were you living with your brother at this time?—I was.

7276. Was your brother boycotted then?—He was.

7277. Were you able to get any provisions anywhere?—There were a few provisions.

7278. A few days after the cattle were missing did a messenger come to you from the League?—He did.

7279. Was he a member of the League?—Well, I believe he was a member of the League.

7280. Do you know his name?—I do.

7281. What is his name?—I object to that.

7282. Why do you object?—Well, I consider there might be an ill-feeling towards him as well as myself.

7283. What did he say?—He advised me to give up the land, and talked about how they speeched at the meeting.

7284. Spoke where? Was it at the meeting?—At the meeting at Kylbeg. He said the persons speeched that I had protection sometime ago, and now I had but two dogs, and I would be found one day and my two dogs eating me.

7285. They told you you had protection some time ago?—Yes.

7286. Had the protection been removed from you after it was put on in 1881?—It was removed in January 1882.

7287. And from that time up to this, November 1886, had you lived without protection?—I had.



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[Continued.]

7288. Did you then after having received that message go to the parish priest at Mullagh?—I did.

7289. Was that Father Bodkin?—Aye.

7290. Is he the member of the League you mentioned?—I believe he was.

7291. Did you tell anything to him?—Yes.

7292. What did you tell him?—I told him I would surrender the farm to them I got it from by the consent of getting grass for my stock.

7293. Is that to graze your stock on the farm?—No, but on other land I took up. There would be no objection for me to take the land to remove the stock.

7294. That is to get permission to take other grass?—Yes.

7295. To remove this stock from off the farm to this other grass?—Yes.

7296. What did Father Bodkin say to that?—Well, he said nothing to it.

7297. Did you then endeavour to get grass?—I did.

7298. For the purpose of transferring your stock from this farm?—Yes.

7299. Did you succeed in getting it?—I did succeed in getting it.

7300. At the time?—I did not at that time.

7301. What prevented you getting it?—By getting consent from the League.

7302. That is, the owners of this grass would let it. You say “by getting consent,” what do you mean?—By getting consent from the members of the League.

7303. You were to have the grass if you got consent?—Aye.

7304. Do you remember passing the house of a Mr. Dervin, the secretary of the League, at Tynagh?—I do, when I was coming from the place where I was to take the grass.

7305. Is Tynagh a different place from Mullagh?—It is not in the same parish at all.

7306. Is there another Land League at Tynagh?—There is.

7307. Did you live near Tynagh?—I did.

7308. And then was the farm near Mullagh? It was nearer Mullagh than Tynagh, at all events?—It was.

7309. As you were coming from looking for this grass you say you passed the house of Mr. Dervin. Is he the secretary to the Tynagh branch of the Land League?—He is.

7310. Did Mrs. Dervin come out to speak to you?—She did, as I was passing by.

7311. Did you go back with her to her house?—I did.

7312. Was there a meeting being held in the house?—There was a meeting held at the time in it.

7313. In Dervin's house?—In Dervin's house.

7314. Did you go into the meeting?—I did, I went into the house.

7315. Who were at the meeting?—John Dervin was in it.

7316. Who else?—Pat Whelan.

7317. Who else?—And Thomas Lawless.

7318. Were there two strangers there, two men who were unknown to you at the time?—Well, there was only one. I had known the other.

7319. Who was the stranger?—David Sheehy.

7320. Did you subsequently ascertain that was David Sheehy, the Member of Parliament?—I considered it might be him, but I was not told who he was; but I heard he was in it, I was told he was in it, but he was not pointed out to me.

7321. He was the stranger. Who was the man you said you knew?—Matt. Harris.

7322. Was he there?—He was.

7323. Was he presiding at the meeting, was he in the chair, you knew him?—I knew him.

7324. Was your brother with you?—He was.

7325. Did your brother say anything as to what brought him there?—Yes, to explain his cause, but they would not hear him.

7326. Say what your brother said?—He wanted to explain about the land, but they did not want to hear it at all; how he took the land.

7327. Was it your brother who took the land or you, or did you take it jointly?—I took the land; he had nothing at all to do with it.

7328. But your brother was explaining the case?—Aye; he talked about it.



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[Continued.]

7329. The strange man you afterwards thought was David Sheehy—what did he say?—He told him he wanted to hear nothing, but asked him whether he would not give up the land; I said he would by getting leave to get grass.

7330. Your brother said that?—No; I said that.

7331. Repeat what you said; repeat what David Sheehy said?—He said he did not want to hear anything at all, but giving up the land. He wanted to know whether he would give up the land. To the best of my opinion he said that.

7332. What reply did you make to that?—We said we would by getting leave to get grass.

7333. Elsewhere?—Aye, for the stock.

7334. From whom were you to get the leave?—From the League.

7335. Was anything said when you made that statement?—There was. Matt. Harris spoke that by giving up possession to Mrs. Dempsey we could get leave to get grass.

7336. Did you say anything more?—I said I would.

7337. Did Matt. Harris say anything more?—He did not.

7338. Did you say anything in reply to Matt. Harris's observation?—I said I would give it to whom I got it from.

7339. Did you then leave?—I did.

7340. Was anything said to you before you left the meeting?—I forget if there was.

7341. Now, some time after that did any person come to you, or on that day; that night did a man of the name of Ford come to your house?—He did.

7342. Was he a member of the Tynagh branch of the League?—Well, I suppose he was; I could not exactly say.

7343. Did you believe he was a member as far as you knew?—As far as I understand he was.

7344. He was the secretary. Did he give you any message from the Tynagh branch of the Land League as to whether they were satisfied with you or not?—He told me Matt. Harris knew nothing about the arrangement between the tenant and the landlord, and that if we came to an understanding ourselves by giving up possession to the landlord or the agent they would be satisfied. That is what he told me. And then there was a man named Dillon there; he said he himself had a claim on it.

7345. Who was Dillon?—I believe he was a member of the League. He was secretary of the League in Mullagh.

7346. Secretary of the Mullagh branch?—Yes.

7347. What did Dillon say?—He said he had a claim on the settlement himself, and I should attend at Mullagh.

7348. Did you attend at the Mullagh branch on the following Sunday?—I did.

7349. Were there two branches? You lived under one branch, and did you farm under the other?—Yes.

7350. On the following Sunday did you attend the Mullagh branch?—I cannot exactly say whether it was the following Sunday, but I attended it anyhow; I could not give any date for it.

7351. About what time was that?—It was in November 1886 or December. I do not know which—either one or the other.

7352. Did you attend the committee meeting or was it a general meeting?—No, it was a committee meeting.

7353. Who was the President?—I only stood outside the chapel door.

7354. Was the parish priest there?—He was.

7355. Was Dillon there?—He was.

7356. Was Michael Garvey there?—He was.

7357. What took place at that meeting?—I went there with the intention of getting leave for to take grass and removing my stock, and they agreed to it.

7358. That is what brought you there?—Yes.

7359. What did you say? What did you tell the meeting? Did you tell the meeting your business?—I did.

7360. Tell us what you said as well as you can remember?—And that he would give me handwriting for it.

7361. Handwriting for what?—For the liberty of getting grass to remove my stock.



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[Continued.]

7362. If you were to get the leave did they say you were to do anything? What were you to do if you got the leave?—To remove the stock.

7363. Were you to do anything with the farm?—I was to clear the farm.

7364. And what were you to do when you had cleared it?—To give it up to them I had got it from.

7365. Was any time fixed?—There was, the 8th of January 1887.

7366. Were you to give up the farm then?—I was to give up the farm after clearing the land.

7367. Do you remember Pat Dillon saying anything to you?—I do.

7368. What did he say to you?—He said he did not like me.

7369. Did you ask him why?—I asked him what is the reason why he did not like me, and he said I had been a landgrabber.

7370. Did you say anything to that?—I asked him was I a landgrabber in 1879?

7371. Was that in reference to the time when you took the farm?—Yes.

7372. Did he make any reply to that?—He did not.

7373. Did you say anything about this arrangement doing any good or not?—He offered to give me a document.

7374. Did he give you a document?—He did.

7375. Have you got it?—I gave it to Sergeant Hennessy.

7376. Who did you give it to?—Sergeant Hennessy.

7377. After he had given you that did he say anything?—He said when I was just going away home "This will do us a deal of good."

7378. Do who a good deal of good?—He said it will do us a great deal of good.

7379. Who did he refer to?—He referred to no one, but he expressed the words.

7380. Did you say anything to that?—I said "I suppose it is not for the benefit of Widow Dempsey you are doing it?" He said "No, but it will benefit ourselves."

7381. After getting that authority did you take grass?—I did.

7382. And did you put your cattle on the grass you had taken?—I put sheep on the grass. I removed the sheep and I left the cattle until the 8th of January.

7383. Did anything happen to the cattle?—No.

7384. Were you still boycotted? From whom did you take the grass?—I took it from one Mrs. Kelly.

7385. What is she?—She is a farmer, and she has a shop.

7386. Mrs. Kelly has?—Aye.

7387. What kind of a shop does she keep?—She keeps a grocery shop and a bakery.

7388. Had you to remove those cattle afterwards?—I had; I removed sheep at the time there was snow on the land.

7389. Do you know yourself whether anything happened to Mrs. Kelly when your cattle were on the land. Did anything happen with her customers?

(*Sir C. Russell*) Does he know of his own knowledge?

7390. (*Mr. Atkinson.*) Do you know of your own knowledge?—They were boycotted.

7391. Did you give Mrs. Kelly this authority you had from the League?—I did not at first, but when the League was boycotting her the son came to me and told me about it, and I gave him this letter I got that I showed to Sergeant Hennessy. He took notes of it.

7392. The son came and gave you this message from Mrs. Kelly?—Yes.

7393. And then you gave to Mrs. Kelly this authority you got from the League?—Aye, I gave it to her.

7394. For what purpose?—For the purpose in order to avoid boycotting.

7395. Some time after did you get that authority back from Mrs. Kelly?—I did.

7396. What happened then?—I had it in my pocket, and it went in bits, and I could not account for it.

7397. Will you tell us what the authority was. Did you say Sergeant Hennessy took a copy of it?—He did.

7398. Did you go to the agent of the landlord to surrender the farm?—I went on the 10th of January 1887.

7399. Did he take it from you?—He did not. He said he would not take it.

7400. Did you still continue in possession? You had given notice?—Yes.

7401. Did you still continue in possession till March or April 1887?—I did.



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[Continued.]

7402. Did you get any letters then from the League?—I got a letter from Dillon.

7403. Is that the letter (*passing document*)?—I suppose it is.

7404.

“Mullagh Branch.

“Sir,—I am instructed by the Committee to communicate with you regarding the widow Dempsey's farm. We are informed that you are still in possession of the farm, and if you do not send us some satisfactory account on or before next Sunday we shall be brought to the disagreeable necessity of declaring you still a landgrabber.

“By order of the Committee,

“PATRICK DILLON,  
“Assistant Secretary.”

—That is the one.

(*Sir C. Russell.*) What is the date?

(*Mr. Atkinson.*) There is no date.

(*The Attorney-General.*) He said he got it about March or April 1887.

7405. (*Mr. Atkinson.*) After that did you receive a second letter?—I did.

7406. Is that it?—I suppose it must be.

7407.

“Mullagh Branch, April 4th, 1887.

“Sir,—I am directed by the Committee of the above to communicate again with you, regarding the widow Dempsey's farm, and give some satisfactory answer whether you have given up the possession or not. Awaiting your reply by return of post.

“I am your obedient servant,

“PATRICK DILLON,  
“Secretary.

“Mr. Patrick Kennedy, Kilmurray.”

Now, in June of that year did you see stock on the land?—I did.

7408. Were those your stock?—They were not.

7409. Did you ascertain whose they were?—I believe they were Mrs. Dempsey's.

7410. In July, the following month, was there hay cut upon the land?—There was.

7411. Was it cut by you or by anyone on your behalf?—It was not cut by me.

7412. Did you ascertain who had cut it?—Well, I did not see them; but I was told the Dempsey's cut it.

7413. In September or October, later on, was that hay removed off the land?—It was, I believe.

7414. Did you attend the Wicklow Assizes afterwards to prosecute any men for removing the hay?—I did not.

7415. Did you attend the Wicklow Assizes at all as a witness?—Yes, I did. I attended the Wicklow Assizes.

7416. When? Was it in 1888?—It was.

7417. Was it on the trial of some of these men for removing the hay?—It was.

7418. At that time did you tell the story you have told to-day?—Well, not altogether.

7419. But part of it?—Aye.

7420. As much as you were asked, was it?—Aye.

7421. Was anybody called to contradict you?—I do not know. I could not say.

7422. After giving evidence at the trial were you still boycotted?—I was. No one spoke to me.

7423. Are you now under police protection?—I have a policeman with me.

7424. You are still under police protection. It was taken off in 1881?—The protection was taken from me in 1882. In January 1882 they withdrew it from me.

7425. Were they put back again?—No.

7426. Up to 1879 were you on good terms with your neighbours?—I was.

7427. Are you aware of any reason for your neighbours being on bad terms with you, except the taking of this land?—No.

7428. None whatever?—No, I never had anything to do with any man.

7429. And from 1879 until the establishment of the Land League in 1881 you say you were peaceable with your neighbours?—I was.



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[Continued.]

Cross-examined by Sir C. RUSSELL.

7430. Who is Sergeant Hennessy?—He is a policeman.

7431. I know, but where?—Tynagh.

7432. How long has he been there?—Well, I never took down the time; I cannot say exactly when he came. I daresay he could tell you.

7433. How many years has he been there?—I believe I have known him for the last five or six years.

7434. Was he there in 1879?—No.

7435. Was he there in 1880?—No.

7436. Was he there in 1881?—I cannot exactly say whether he was.

7437. About what time did he come there?—I could not tell you what time he came.

7438. Can you not tell within a year or two?—No.

7439. Did he come last year?—He was in it last year and this year.

7440. Was he there in 1886?—I could not exactly say.

7441. Try and think, Kennedy, please?—Well, he will come and he can speak to you.

7442. No, I am dealing with you?—I am not going to give account of what time he came, for I have no knowledge of it.

7443. Do you mean to say you cannot tell us whether Hennessy has been there three years or five years?—He may have been there for three years for all I know.

7444. May he have been there five years?—He was off and on in it.

7445. About how long ago did he come there first?—I could not give you an exact date.

7446. Can you tell us about how long ago?—I object to the question.

7447. Who told you to object to the question?—No one told me.

7448. Why do you object to the question?—I could not exactly tell you the time.

7449. I am not asking you to tell me exactly. I am asking about how long do you think he was there?—I could not tell you. He was at times stationed in Portumna, and at times stationed in Ballinasloe, and I could not say how long or how short he was in it.

7450. Where do you live?—(No answer.)

7451. Where do you live?—I live with my brother.

7452. Where?—I object to it.

7453. You object?—Aye.

7454. Have you been told to object?—No.

7455. You have not?—Too many knows where I live.

7456. Then if so many know where you live, why do you refuse to state?—I know there would be an ill-feeling towards me at home when I go back, and it is enough for them to know and not people in London to know it.

7457. But you have told the learned counsel you are, and have been for a long time, under police protection?—I have, about 10 months.

7458. And people know where you live?—Yes.

7459. You do not want the people of London to know where you live in Ireland. Is that your objection? Come, sir, answer the question straightforwardly?—There are a good many from Ireland here as well.

7460. So I understand; a good many policemen and constables?—Aye.

7461. Where did you live at the time you took widow Dempsey's farm?—I lived with my brother.

7462. Where?—Well, I will not tell you.

7463. I am asking you where you lived in 1879 when you took the farm. Answer, sir?—I lived in the county of Galway.

7464. Where?—In Ireland.

7465. Where?—In the parish of Tynagh.

7466. Why did you not say so and save all this trouble? Had you land there?—I had no land in it.

7467. Were you farming land with your brother?—I was not farming land with my brother, but I was only with my brother.



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7468. Do you mean as a labouring man?—No. I do not mean as a labouring man. I could go where I liked.

7469. Were you managing the farm with him?—Well, so far as I was concerned I was. I had no gains by it.

7470. How were you earning your bread?—I do not understand what you mean.

7471. You do not understand what I mean when I ask how you were earning your bread? How did you get your living?—I got it from my father—I got my divide.

7472. Do you mean you got a share of the land?—No.

7473. A share of his means—money?—Aye.

7474. Were you living on the money?—If I choose.

7475. Will you speak up and give me an answer?—I was living with my brother, and I got my divide.

7476. Were you living on the money you got from your father?—No.

7477. What were you living on then?—I was in the house with my brother.

7478. Do you mean that he gave you bite and sup?—I mean I was supporting it.

7479. You mean what?—That I was supporting the house.

7480. (*The President.*) Do you say you were supporting the house?—No, my Lord, but I was living with my brother, and I got my divide from my parents.

7481. (*Sir C. Russell.*) That is what I want. You were living with your brother, and living on the money you got from your father?—No.

7482. Then what were you living on?—It is not on the wind I was living.

7483. What were you living on? Come, sir, answer; you can answer that easily enough?—How can I answer you what I was living on. Is it on the wind I was living?

7484. (*The President.*) That is not at all a proper answer. It is a very simple question?—I was living with my brother, and I was working with him on the land, and I was supported. That is all how I was living.

7485. (*Sir C. Russell.*) Why do not you say so. You were helping your brother on the land?—I was.

7486. And he gave you your living for that. Were you married?—I was not married.

7487. How long had you been living with your brother; come, sir, speak up?—I could not exactly tell you.

7488. About how long; do not keep us here all day?—I do not care how short you keep me.

7489. Tell us, please, how long about were you?—I am not going to answer such questions. I cannot give you an exact account, I am living with my brother since my father died.

7490. When did your father die?—Well, if I had known you would have asked me such questions I could have brought you particulars and been prepared to answer.

7491. When did your father die; how many years ago?—He died above 12 or 13 years ago—about that time. I could not exactly say when.

7492. When was the widow Dempsey evicted?—In April 1879.

7493. I judge from her description she was a widow?—I suppose she was.

7494. Had she a family?—She had.

7495. How many acres of land had she?—Something about 28 acres and 39 perches.

7496. Who was the landlord?—Henry French.

7497. Who was the agent?—Mr. Allen.

7498. What rent was she paying?—I could not say what rent she was paying.

7499. What rent were you paying?—36*l*.

7500. She was evicted in April 1879?—Yes.

7501. When did you take the land?—I took the land about the 18th or 19th of April.

7502. Had you to clear up any arrears to get into the land?—No, I took it for six months.

7503. Had you to clear up any arrears?—I took it only for six months. I had to pay no arrears. I took for six months.

7504. You only took it for six months from April, 1879?—Aye.

7505. From April, 1879, to October?—Yes.

7506. The same year?—Yes—no; she was evicted, I believe about the 12th of April, 1879.



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(*The Attorney-General.*) Your Lordships are aware they have six months to redeem.

7507. (*Sir C. Russell.*) Did you take it only for six months, or if she did not get back again, were you going to keep on the farm?—If she redeemed the farm I had no more to do with it.

7508. That is to say, if she redeemed the farm, then you would have to go out?—Yes.

7509. If she was not able to redeem her farm, or did not redeem the farm, you were to continue the tenant?—I did not know whether I would or not at the time.

7510. Was that what you understood?—I cannot exactly say. I took it only for six months.

7511. Did you take it intending to remain on if she did not redeem?—No, there was no such thing in question.

7512. Do you mean to tell the Court that there was no arrangement that you were to remain?—Well, if she did not redeem it I expected to, but there was no such words used at the time I took the land.

7513. Where did Mrs. Dempsey go to when she was evicted?—She was put into a house, some place in Drummantubber.

7514. With her children?—Yes.

7515. How far is that from the evicted farm?—Something about an English mile.

7516. Who put her there?—I do not know whether the landlord or the agent put her into it.

7517. Do you think it was either the one or the other?—I could not account for it.

7518. Was it the agent that came to you to take the land, or was it you that went to the agent?—I went to the agent.

7519. That would be within a few days after Mrs. Dempsey went out or was put out?—Notices were put up for every man to bid for it, and I went for it.

7520. It was put up to bid, was it?—Yes, there were notices posted up that there was a farm to be let for six months.

7521. This was in the parish of Mullagh, I understand?—Yes.

7522. This land of hers?—Yes.

7523. You were living in the parish of Tynagh?—Yes.

7524. When was the first Land League branch established, to your knowledge, in Mullagh; when do you swear the first Land League branch was established in Mullagh?—I think there was no branch established in it on 15th November 1880.

7525. There was none up to the 15th November 1880?—Yes.

7526. Was there one in November 1881?—Yes.

7527. Do you say there was?—I think there was in March 1881.

7528. March 1881, is that the nearest date that you can fix?—Well, it did not trouble me.

7529. Was there one in Tynagh; come, sir, wake up and answer the question?—There was not at the time. I do not know in March, but in or about November 1881 there was no branch established.

7530. Up to November 1881 there was no branch there?—No.

7531. In Tynagh?—No.

7532. When do you say the first branch was established in Tynagh?—I could not exactly tell you.

7533. Tell us as nearly as you can?—Those branches did not trouble me at the time. I took no pain of them, and I did not want to hear about them.

7534. I must ask you to tell me as near as you can?—I have no knowledge of the date they were fixed.

7535. Do you tell my Lords you do not know about when the first branch was established in Tynagh? Do you hear my question?—I do.

7536. Well, answer?—I object to answer it.

7537. Do you object to answer it?—I do.

(*The President.*) I thought he gave an answer. I have got a date.

(*Sir C. Russell.*) As regards Tynagh his answer was a negative one that there was not one before a particular time.

7538. Why do you object to answer that question?—Well, I cannot give a particular account of it.



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7539. I want to know, as nearly as you can, about what time. Come now; you say it was established in Tynagh, but you say, as I understand, that it was not there in November 1881?—No. November 1880 I mean.

7540. Nor in November 1880. You say at all events it was there in November 1881?—1880, I mean. It is not 1881.

7541. You said 1881?—I did not say 1881.

7542. I am very sorry you contradict me so rudely?—I did not say 1881.

7543. (*The President.*) You led others to think you did?—I mean to say there was a branch established in March 1881—in March 1881.

7534. (*Sir C. Russell.*) Quite right, you said that also. You also said there was no branch in November 1881?—To the best of my belief there was not.

7545. Very well, you repeat it. My question is, how soon after 1881 was there a branch?—November, 1880, I mean.

7546. Who was the president do you say of the branch at Mullagh?—I have no knowledge of the president at Mullagh.

7547. You do not know?—I do not know whether it was the priest or not.

7548. You mentioned the secretary—a man called Dillon was the name I think you said?—Dillon was the secretary, I suppose, according to how he stated in his letter in 1886 or 1887.

7549. He was the president of the Mullagh branch?

7550. (*The President.*) I thought he said Dillon was?—Ryan was secretary at the time and Dillon was later the secretary.

7551. (*Sir C. Russell.*) Who was present?—I could not give you an answer to the question. I believe the priest was the president.

7552. Of which?—The Mullah branch.

7553. Father Bodkin?—Yes; I could not exactly say whether he was or not. I very seldom attended that place.

7554. I want to follow this out a little. In the spring of 1881 you say you wrote to Dublin and got an answer?—I did.

7555. Did you show your answer to the police?—No; I could not say whether I did or not.

7556. Think, sir. Will you swear you did not?—I could not say whether I did or not.

7557. I am talking of 1881. Did you tell the police that you had written to Dublin, and did you not tell them you had got an answer from Dublin?—I could not tell you whether I did or not.

7558. Have you not since 1881 been in constant communication with the police informing them of these meetings that you attended and of all that took place at them—on your oath, Kennedy, did you not?—I did not tell them half what crossed me.

7559. Have not you since 1881—whether you told them half of what passed or not—have you not since 1881 been in communication with them. I am not saying whether it was right or wrong at all; but have you not been in communication with them, telling them what you were doing and the meetings you were going to?—I went to no meetings not since 1881.

7560. Since 1881?—No.

7561. You have told us of several?—1881. Well, I have no recollection of a part of the time. I was on friendly terms with the people from 1883 to 1886.

7562. Since 1881, aye or no, have you not been in communication with the police, telling them all that was said to you, or practically all that was said to you in the meetings you attended, and what took place at those meetings, and giving them the names of the parties?—I did not. I had no communication with them, but there was a Star Chamber court held in Killeanagh that brought me up, and then I had to give it down.

7563. A Star Chamber court, we have not heard of that?—Yes.

7564. That was held where?—In Killeanagh.

7565. When was that?—I cannot tell you.

7566. What year?—I do not remember it.

7567. Perhaps I can help you. Was it in 1882?—It is as well for you to say 1889, it was not in 1882.

7568. I do not know, and I want to know. Come, sir, try and answer.



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7569. (*The President.*) What is your answer?—It was not in 1882, the Star Chamber was not, or 1883, or 1884, or 1885. I think it must be in 1887.

7570. (*Sir C. Russell.*) I must ask you to tell us when it was. I do not know?—I cannot give you the account of it, I have no date.

7571. I put it to you that there was an Act which enabled these things. Was it in December 1882, or was it since this year?

7572. (*The Attorney-General.*) There was no Act then?—There was no Act for the like in 1882.

7573. (*Sir C. Russell.*) Well, you know the law better than I do. Who was the magistrate?—It was Mr. Joyce.

(*The President.*) Is "Star Chamber" the name that has been commonly given for some particular court.

(*Sir C. Russell.*) It is merely under the Act of 1887, I think, that that occurred.

(*The President.*) A nickname.

(*Sir C. Russell.*) It is the witness's name.

(*The Attorney-General.*) I do not think you will find it originally came from the witness.

(*Sir C. Russell.*) That is all I mean.

7574. The secret inquiry clause. Well, when was that; come, Kennedy, you really are not treating me or the Court, which is much more important, respectfully. When was this, or about when?—Some time in 1887 or after. I do not know.

7575. What?—I do not know exactly what time it was.

7576. I am not asking you the exact time. About what time do you say this was?—I do not care what time it was, and I cannot give you the exact account of it.

7577. (*The President.*) Do you alter what you said, that it was in 1887?—I believe some time in or about that time.

7578. (*Sir C. Russell.*) Why did not you say so?—I do not know whether it was 1887 or 1888.

7579. Mr. Joyce was the magistrate?—He was.

7580. Now I come back to the question, Do you swear that that was the first time you made any communication to the police?—I do not swear that.

7581. Now I ask you again. Will you swear that from 1881 you were not in communication with the police, informing them of what was going on?—1881?

7582. I said 1881?—Who said it?

7583. I say it. Will you say that was not the time?—I had nothing to do with them part of the while; while protection was drawn from me I had nothing to do with them.

7584. Do you mean you had no communication with the police before protection was given to you?—The police used to come to visit me.

7585. Did you tell them that you wrote to Dublin?—I could not exactly say.

7586. Will you swear you did not?—I could not tell you.

7587. Did you tell them you got an answer from Dublin?—I had an answer. They had known it some time after.

7588. Did you show them the answer?—I could not tell whether I did or not.

7589. Will you swear you did not?—I believe they never saw it.

7590. Will you swear you yourself did not show it to them?—I could not say whether I did or not.

7591. Do you mean that?—I do.

7592. Now, I want to follow this letter. You say you gave it to the Mullagh branch?—Eh!

7593. You said you gave it to the Mullagh branch, did you?—I did not. I said it was conveyed to the Mullagh branch to the best of my opinion. It was when I attended the Mullagh branch the Sunday after.

7594. You say it was conveyed to the Mullagh branch?—I could not give a particular account of it.

7595. Attend. You say you went to see Ruane, who was the secretary of the Mullagh branch?—Yes.

7596. Mat Ruane?—Not Mat Ruane.

7597. Mat Ruane's son?—Yes.

7598. And that he was not in, and that you gave it to some man in that neighbourhood to give to the Mullagh branch, or to give to Mat Ruane's son?—Yes.



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7599. Who was the man to whom you gave it in the neighbourhood?—To the best of my——

7600. Go on, to the best of your——?—I gave it to one; to the best of my opinion I gave it to one man in Castle Nancy.

7601. What is the man's name?—Michael Kennedy.

7602. A relation of yours, is he?—Well, he is.

7603. What relation is he, a brother?—No.

7604. Cousin?—He is a cousin.

7605. Now, sir, I ask you, had you not shown that letter to the police before you brought it to your cousin Kennedy?—I could not say whether I had or not.

7606. Did I understand you to say that you said when you attended the meeting that you would give up the land if you got paid for your land?—Aye.

7607. You did?—Yes.

7608. When do you say any annoyance began to you?—No annoyance began to me till about November 1880.

7609. November 1880; very well. It began in November 1880. What was the annoyance?—They held a meeting on the land.

7610. Anything else?—They would boycott me after that.

7611. How?—I often tried to go to a fair, and the man who would ask the price for cattle when he would know who I be he would ask a pound more the next time I came to him.

7612. He would ask you a price, and you would not give it, and then you would go away and come back again, and he would ask you more?—Yes.

7613. Any more annoyance you can tell us of?—I could tell you any amount.

7614. Tell us, please, I want it all; come, sir; anything more?—There used to be shouting and groaning at me.

7615. Of children?—Yes, and men.

7616. And some men?—Yes, that had some understanding in them.

7617. Children and men that showed some understanding. Very good. Then you told us the story about this hay. Now I want you to attend particularly to the meeting. When was the meeting at the farm; was there more than one?—There was two.

7618. When was the first?—November 1886.

7619. What?—November 1880.

7620. And the last one?—And the last one was November 1886.

7621. Now I want you to come to this meeting. When you went into the house Mrs. Durwen called you in as you were passing along the road; do you recollect that?—I do not.

7622. What?—I do not know the exact date.

7623. You do not what?—I have no knowledge of the exact date, not of what the exact date was. I was passing by.

7624. I am not troubling you about the exact day; but you were walking along the road?—I was not walking along the road; I was walking through the farm that Mrs. Kennedy holds.

7625. I thought you said you were walking along the road?—No.

7626. You were called in by this woman to her house?—I was.

7627. You went in and saw several people there?—I did.

7628. Did you hear the auctioneer say you would clear off the land by January 1887?—I did not.

7629. You did not?—No.

7630. Did you say you would clear off the land, and give up the farm after clearing off the land in January 1887, if you could get leave to grass somewhere else?—I did.

7631. Did you mean it?—I did mean it.

7632. Now did you go to Constable Hennessy and tell him what had taken place?—I did not go to him.

7633. Did he come to you, and did you tell him?—He was at the house when I came back.

7634. And you told him all that had taken place?—He asked me about it.

7635. And you did intend to give up the farm at that time?—I did, in order to avoid trouble.



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7636. And to get friendly with your neighbours, to get on friendly terms with your neighbours?—I suppose it is.

7637. Did the constable tell you when you went to give up the land?—He did not.

7638. Why did not you give it up?—Because he would not take it from me.

7639. Did you give notice?—No, but I went to him to give it up.

7640. When did you go to him?—I went on the 10th of January.

7641. Have you ever given him any notice to give it up?—No.

7642. Now I understand you got a letter which you say was sent by the secretary, I think it was Keelan.

(*The Attorney-General.*) “Dillon” it was; there are two letters there.

7643. (*Sir C. Russell.*) Giving you some leave to get grass elsewhere?—It was not from Dillon I got it.

7644. From whom?—Andrew Callaghan.

7645. Did you show that to the constable?—He was at the house when I came home.

7646. Did I understand you to say Sergeant Hennessy took a copy of it?—He did.

7647. At the time you produced it to him?—Aye.

7648. In your house?—Not my house, my brother's house.

7649. You continued to live with your brother, did you?—Yes, I did.

7650. Now, with reference to what took place that you have been asked, about Mrs. Dempsey and her hay, which was got, you presume, by Mrs. Dempsey's friends. There was a prosecution against a number of people, was not there?—There was.

7651. And a number were sent to gaol?—Aye.

7652. How many altogether?—In or about 11.

7653. How often has Mrs. Dempsey been sent to gaol?—I do not know how often Mrs. Dempsey has been sent to gaol.

7654. About how often?—I believe she was only once.

7655. What?—Only once sent to gaol.

7656. Is that all; what was that for?—It was about the May in 1880.

Cross-examined by Mr. Lockwood.

7657. You mentioned the name of Mrs. Durwen. Is she any relation of yours?—I believe she is a slight relation.

7658. What do you believe is the relationship between you?—I could not exactly tell you.

7659. Is she a cousin?—She is further than that.

7660. Further than that?—Yes.

7661. Do you know that she had been to see Mr. Harris to ask him to see you?—I do not.

7662. Do you know that she had been to Mr. Harris to ask him to see you?—She did not make mention of it.

7663. Then you afterwards saw Mr. Harris in her house?—I did, and I see him there now.

7664. I do not know whether you told us. How came you to go to Mrs. Durwen's house?—Eh?

7665. How came you to go in that day?—I did not want to go there at all.

7666. I did not say you did. I ask you how you came to go in?—She sent for me; called to me as I was passing the house, about 100 yards from it.

7667. And then after you had been there and seen the persons whom you saw were there, did you then communicate with the police?—I did not communicate with the police.

7668. Will you swear that?—I had nothing —

7669. Will you swear that?—How could I swear it. I had no communication with the police on that day for going there.

7670. When next had you communication with the police after you had been to Mrs. Durwen's house?—I could not tell you.

7671. The next day?—I could not exactly tell you.

7672. Very soon, was it not; come, you know, very soon, was it not?—No.

7673. How long after?—I do not know how long.



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7674. It may have been the next day?—I do not believe it.

7675. You do not think it was?—No.

7676. Tell me the names of some of the police you have communicated with since 1881; are you going to answer me or not; are you afraid to give the names of the police?—I am not afraid. I am not afraid to give my own name either, if you want to know.

7677. Give the names of the police with whom you have communicated since 1881—why don't you answer me? Why won't you answer me?

(*The President.*) Really, we cannot wait all day for your answers. What is your answer to this question; it is a very simple one?—Sergeant Hennessy was one of them.

7678. (*Mr. Lockwood.*) You give us now, after that deliberation, the name of a man who has been already mentioned about twenty times. Now give us the rest, please. Sergeant Hennessy, my Lord.

7679. Who else?—There was a man named Sergeant Burns there.

7680. When did you first communicate with him?—I could not exactly tell you.

7681. In 1881?—No, I could not say.

7682. It may have been in 1881; come now, you know that well enough?—I have no date for it, and I will not answer.

7683. Give me the name of any?—I do not know any other name.

7684. Oh, yes, you do. Now just think. Do you mean to state, upon your oath, Kennedy, that you cannot give me the name of another man besides the two you have given?—I could not exactly tell you.

7685. Do you mean that you cannot tell me, or that you swear that you cannot?—(No answer.)

7686. Now, answer me this then. What did you get from 1881 for your communications with the police up to the year 1888?—What did I get?

7687. Yes?—Nothing.

7688. Do you swear that?—I do.

7689. From 1881 to 1888?—Nothing.

7690. I will take it up to the present time?—Aye. I am more at a loss than a gain by it.

7691. I want to know what you gained, you know, and then we can judge whether it has been a loss or not. What did you get?—I mean to tell you, I got nothing.

7692. Up till to-day?—Aye.

7693. Who is keeping you now?

(*Mr. Justice A. L. Smith.*) You asked him from the police, Mr. Lockwood.

(*Mr. Lockwood.*) I am aware, my Lord. I am entitled—

(*Mr. Justice A. L. Smith.*) I did not say you were not. I only said you asked “from the police.”

7694. (*Mr. Lockwood.*) I am asking you now who is keeping you now? Do you know that, or do you not?—I suppose the “Times” is keeping me now.

#### Cross-examined by Mr. BIGGAR.

7695. You told us that some of your sheep and cattle strayed off the land. Is it a common thing for cattle and sheep to stray off land where no controversy exists between the tenant and the neighbours?—I do not properly understand your question.

7696. Have you ever heard of cattle and sheep straying from land where no dispute existed between the neighbours and the tenant?—Often. I have often heard of sheep straying off land. For weeks before that none of my sheep or cattle strayed off the land.

7697. You said you were very popular until 1879, and you think you were unpopular after 1879?—No, after 1880.

7698. After the landgrabbing took place?—No, after the meetings.

7699. Landgrabbing was a popular thing in County Galway till the meetings took place, was it?—I could not exactly say.

7700. Do you not know as a matter of fact that landgrabbing was unpopular so long as you can remember?—I do not remember having heard of it many times.



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7701. Had there not been a great deal of landgrabbing in County Galway long before 1879?—I do not understand what you mean.

7702. Did you never hear of landgrabbing in County Galway before 1879?—I never heard the question moved up to 1880. I never heard such names or such custom—never heard of landgrabbing.

7703. You never heard of the expression "landgrabbing" until 1880?—No,

7704. Do not you know that landgrabbing means taking land over people's heads, or taking land from which people have been evicted or unfairly evicted?—There was no objection at the time I took the land about people taking land from which another had been evicted.

7705. Do you mean to tell me that landgrabbing—you understand what landgrabbing means very well—was ever a popular practice so far as your memory serves you?—I never heard the word mentioned at all.

7706. Do you know what landgrabbing means, namely, taking land from which other persons have been evicted, or taking land over person's heads—was that a popular practice within your memory?—I do not remember ever hearing of it. I never heard of such a thing as landgrabbing up to 1880.

7707. That is not my question. My question is, was it a popular thing to take land from which tenants had been evicted, or was it not?—I did not see many cases about me.

7708. Did you ever hear of any cases?—I never heard of landgrabbing in my life up to 1880.

7709. I did not ask you that; and you know that is not the question. Was it a popular thing to take land from which tenants had been evicted within your memory?—I did not see a great deal of it about myself.

7710. Did you ever hear of it?—Of course I did hear of it.

7711. Do you think it was a popular thing to do?—I do not know whether it was or not.

7712. What is your opinion?—My opinion is that a man should not let land go idle.

7713. Was it a popular thing according to the popular voice?—The land was made for the use of the people.

7714. That is not the question; was it a popular thing according to the popular voice of your neighbours?—How of my neighbours?

7715. The people who lived round about you?—I did not see much of the like around me.

7716. Do you mean to tell me as a matter of fact that it was a popular thing to take a widow's land from which a widow had been evicted?—Well, it was often taken.

7717. But was it a popular thing to do?—I do not know whether it was or not.

7718. What is your opinion?—My opinion is that the land was made for the people.

7719. That is not my question. My question is, was it a popular or an unpopular thing?

(*The President.*) You see, Mr. Biggar, you are asking him his opinion and he gives it you.

(*Mr. Biggar.*) He does not reply to my question.

(*Sir C. Russell.*) What he says is, the land was made for the people.

(*The Attorney-General.*) And should not lie idle, he said.

7720. (*Mr. Biggar.*) You do not answer me fairly. You told Sir Charles Russell that you first took this land from the agent, Mr. Allen, for six months?—Yes.

7721. You did not tell him what was the fresh arrangement at the end of the six months; what was the fresh arrangement then?—I became the tenant for to build a residence on the land.

7722. And did you give any purchase money?—No, I gave a deposit.

7723. What do you call a deposit?—A deposit, a security for me.

7724. Was it in the nature of a fine at all?—No fine.

(*The President.*) He said something about security.

7725. (*Mr. Biggar.*) How much did you give?—I gave him 20l., and some time after that I gave 20l. to give to Mrs. Dempsey when she was going away.

(*Mr. Lockwood.*) There is one question I should like to put.



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[Continued.]

(*The President.*) If it is anything you omitted to ask.

(*Mr. Lockwood.*) I will tell your Lordships what the question is I propose to ask. If your Lordships think I ought to have put it before, and am not entitled to put it now I will not persist. I was going to ask the witness as to whether he had made any statement of his evidence subsequent to the statement he made before Mr. Joyce.

(*The President.*) I have forgotten now all about that.

(*Mr. Lockwood.*) Your Lordships may remember that he stated that he was examined before what he called a "Star Chamber tribunal."

(*The President.*) Whether he has made any statement since.

(*Mr. Lockwood.*) Since, if your Lordship pleases.

(*The President.*) Yes, ask him the question.

7726. (*Mr. Lockwood.*) You spoke of the Star Chamber tribunal before which you appeared. Do you remember that?—I do.

7727. Have you made a statement of your evidence apart from the statement that you made before that Star Chamber to any gentleman here?

(*The Attorney General.*) I will call the gentleman directly.

(*Mr. Lockwood.*) If you tell me it is so. Did you make a statement to any gentleman of the evidence you were prepared to give here—never mind considering what the effect of the answer is—do answer the question.

7728. (*The President.*) Has your evidence been taken by somebody?—It has, my Lord.

7729. With a view to coming here and giving your evidence to-day?—Yes.

(*Mr. Lockwood.*) When—where?

(*The President.*) Why will not you answer the question?

(*The Attorney-General.*) If your Lordship will ask the question.

(*Mr. Lockwood.*) My Lord is interposing, therefore I sit down. I am very much obliged to your Lordship for so doing, for the witness apparently will not answer me.

(*The President.*) I did not intend to stop you.

(*Mr. Lockwood.*) I am obliged, because your Lordship succeeded in getting an answer to a question I failed to get an answer to.

(*The President.*) Let us hope the Attorney-General will be able to succeed.

(*Mr. Lockwood.*) Never mind the Attorney-General at present. Look at me and answer my question if you can. Where did you make any statement of your evidence?

(The witness did not answer.)

7730. (*The President.*) Now, will you not answer. You told us you made a statement. You remember saying that, do not you?—I do, my Lord.

7731. Surely you must recollect where you made the statement?—I made the statement at Killemagh.

(*The President.*) Now we have got it. How long ago?

7732. (*Mr. Lockwood.*) Before whom?—Mr. Joyce.

7733. Is that the only statement you made of your evidence?—Well, there was a statement—

7734. I put it this way: Can you tell me of any other statement that you have made beyond the one you made before Mr. Joyce?—(The witness did not answer.)

#### Re-examined by the ATTORNEY-GENERAL.

7735. Just look at this gentleman. Mr. Shannon is his name (*referring to a gentleman in Court*); do you see him?—I do.

7736. Did that gentleman ask you questions?—He did.

7737. How many days ago,—since you came to London or before?—Since I came to London.

7738. And did you see anybody writing down when he was asking you questions?—I did.

7739. What became of what was written down?—I do not know.

7740. You do not know?—I do not know.

(*Sir C. Russell.*) I want to see Mr. Shannon.

7741. (*The Attorney-General.*) You shall see him in due time, one thing at a time please. Now Mr. Kennedy, just listen to me. When you offered to take this land,



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[Continued.]

did any other person offer as well?—When I went to take this land I said I would not have anything to do with Mr. Allen if the widow Dempsey was able to hold it.

7742. What else, please?—He told me he had enough for it, that he had a good many for it.

7743. You said something about giving 20*l.* for the widow Dempsey, who did you give that to?—Mrs. Allen.

7744. That was in addition to the 20*l.* you deposited as security?—It was not.

7745. How many 20*l.* did you deposit?—20*l.* and my deposit.

7746. And your deposit?—Yes.

7747. I want to know whether you gave two 20*l.* or one 20*l.*?—Two.

7748. One for the security and one for Mrs. Dempsey?—Yes.

7749. About what were you doing before. You have told Sir Charles Russell you lived with your brother?—Yes.

7750. Was he a farmer?—He was.

7751. How much land did he hold?—He held 30 Irish acres.

7752. Did you work on your brother's farm?—I did.

7753. And lived in the house?—And lived in the house.

7754. And you got your keep with your brother, and had you meals with your brother?—I did.

7755. What I want to know is whether your brother paid you wages besides, or whether you worked without getting any wages from him?—He paid me no wages, and I did not want it either.

7756. You had had some money, you said, from a "divide" of your father's?—I had.

7757. Had you been looking out for land before this land became vacant?—Well, I was on the look-out if I could get a glace.

7758. How long had you been working without wages but only helping your brother before you took this farm at Kilebeg—Widow Dempsey's farm—how long had you been doing that; about how many years or how many months?—About two or three years, I suppose.

7759. You have been asked about communications with the police, and you have told Mr. Lockwood you have not received any money from them; but what I want to know is this, how did the police come to protect you? Did you tell them or did they come to you?—I never applied for protection.

7760. Whatever happened—police protection came to you?—It did.

7761. How it was that it was necessary at that time you do not know?—I do not know.

7762. Was Sergeant Hennessy on the station at the time you showed him the notice you received?—He was.

7763. And I want to know, was there anybody interfering with you as far as you know except the Land League?—No.

7764. And you showed Sergeant Hennessy the notices or the letters that you got from the Land League which have been read?—I did.

7765. Just one word about what you called the Star Chamber; that was an inquiry?—It was.

7766. At Killemagh; were you summoned there?—I was.

7767. And you made a statement to the magistrate who held the inquiry?—I did.

7768. Who called it the Star Chamber—where did you get that from?—Well, I heard it passing. I heard it called the Star Chamber Court. The first time I heard it called so was by Mr. Bowler up in Loughrea.

(Mr. Harrington.) I think he mentioned a solicitor's name in Loughrea.

7769. (The Attorney-General.) When did you first hear it called a Star Chamber—have you ever seen "United Ireland"—can you read?—No.

7770. Just try and remember from whom you first heard it called a Star Chamber—if you do not remember it does not matter?—No.

7771. Do you know a Mr. Bowler?—I saw him.

7772. Is he a solicitor?—I believe he is.

7773. Had he anything to do with the defence of any of the persons you have mentioned?—He had.

7774. Who did he defend—the people who took the hay away?

(Sir C. Russell.) Is this arising in any way out of the cross-examination?



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[Continued.]

(*The Attorney-General.*) I understand that Mr. Harrington is right—that he mentioned the name of Bowler.

(*The President.*) That is only as to how he heard the word “Star Chamber.” It appears to me to be nothing. It is a nickname.

(*The Witness.*) It was Bowler I first heard using the words.

7775. (*The Attorney-General.*) Bowler you heard using the words, when you said you would give up the farm you had not given any notice, as I understand, to your landlord or to Allen?—I had not given him any notice.

7776. Did you have to give six months’ notice to give up the land—is that the term of your tenancy that you have to give six months’ notice?—I could not exactly say, but I was a yearly tenant.

7777. You have been asked whether sheep have not strayed off your land by, I think, Mr. Biggar, and you say they have. Could you get any information as to where these sheep had gone to on this occasion?—I could not.

7778. Had that ever happened to you before when sheep had strayed?—No.

Sergeant MICHAEL HENNESSEY sworn; examined by the ATTORNEY-GENERAL.

7779. Are you a sergeant in the Irish Constabulary?—Yes.

7780. Where are you now stationed?—Tynagh, in the county Galway.

7781. Just tell us your places of duty since 1880—during the last eight years?—December 1880, I went to Tynagh. I left it in January 1882 and went to Portumna.

7782. 1880 to 1882—two years in Tynagh and then you went to Portumna?—I returned again to Tynagh in October 1884, and I have been there since.

7783. Then you were two years at Tynagh and then four years at Tynagh?—Yes.

7784. The intermediate time at Portumna. Do you know the last witness, Kennedy?—Yes.

7785. Did he reside in Tynagh or near Tynagh?—Yes, near Tynagh.

7786. Do you know anything about what was happening to him in 1881, when you were there? Do you know of the meeting on his farm?—It was after the meeting was held in Kylebeg that I went to Tynagh and Kennedy was then protected by patrols.

7787. You found Kennedy protected by patrols?—Yes, in December 1880, and that continued until April.

7788. 1881?—Yes. He was then placed under special protection, and the men were in the house with him.

7789. What was it, as far as you know, that caused him to be put under special protection in 1881—you cannot tell us what happened before this?—Because his life was considered in danger.

7790. Was there any other reason for putting him under special police protection except to protect the man’s life?—I do not know of any.

7791. In your opinion, from what you saw from day to day, was that necessary or not?—I think it was at the time. I considered his life in danger.

7792. Was there any Land League at Tynagh at that time?—I believe it was in December 1880, it was first established in Tynagh. I am not positive about it because I was then a stranger there.

7793. Were there Land League meetings held in the early part of 1881?—Yes, committee meetings.

7794. Only answer this question. Yes or no. Do you know who were the Land League officers at Tynagh in the beginning of 1881 when you were there?—Yes.

7795. Who?—John Derwin, Thomas Lawless, that is all I am positive about.

7796. Did you know Father Bodkin?—No, I did not belong to that parish.

7797. That was at Mullagh, I think?—I knew him.

7798. How long did the special protection continue?—From April 1881 to January 1882, about that time.

7799. Why was it taken off?—He refused to take two men of the auxiliary force.

7800. Kennedy did?—Yes; and the police would not be left with him.

7801. Those, I think, were soldiers—Marines?—No.

7802. What were they?—An auxiliary to the Royal Irish.

7803. I think you said in January 1882 was the date it was taken off?—I think so. It was in January 1882.



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[Continued.]

7804. Do you know whether anything had happened to the Land League at Tynagh at the end of 1882?—Yes, I know it was suppressed, but after the police were withdrawn from Kennedy he was protected by patrols.

7805. I come to 1886—you went back in 1884—was there any National League when you went back to Tynagh at first?—No.

7806. About what time was the National League established at Tynagh?—August 1885.

7807. Do you know who were the officers of the Tynagh National League?—Yes.

7808. Who?—John Derwin.

7809. The same man who had been with the Land League?—Yes. Patrick Whelan and Thomas Lawless.

7810. Do you know whether either of those three was the secretary?—Yes, John Derwin was the secretary.

7811. Had any of the others any office?—Whelan was president, and Lawless treasurer.

7812. Do you know where they met?—In Derwin's house.

7813. Do you remember any other names of the National Leaguers or Land Leaguers in 1886 or 1885?—They were the principal officers, but all the neighbourhood round attended the meetings.

7814. Do you know anything about the Mullagh branch of the National League?—No, nothing whatever.

7815. Do you remember one day in December 1886 Kennedy showing you anything—I think on the 5th December?—Yes, I do.

7816. How did he come to show it to you? Did he come to you, or did you go to his house?—I met the sergeant who was in charge —

7817. Just answer the question first. Did you go to his house?—I went to his house.

7818. Tell us what made you go to his house?—I met the sergeant who was in charge of the Mullagh district, and he asked me to go.

7819. In consequence of a communication made to you by another police constable?—Yes.

7820. When you saw Kennedy, did he show you any letter?—He did. I asked him for it.

7821. Did you take a copy of it?—I took a copy of it.

7822. Produce the copy, please, and read it out.

*(Document was produced and read, and was as follows) :—*

“December 5th, 1886. Mullagh Branch. Mr. Patrick Kennedy, the man in possession of the Widow Dempsey's farm at Kylebeg has applied to the committee of the above asking time until January 8th, 1887, in order to dispose of his cattle, and we have come to the conclusion that any person would be justified in exchanging dealings with him. By order of the committee.”

7823. Have you any doubt that referred to the committee of the National League?—Not the slightest.

7824. Did you know from Kennedy what Kennedy was trying to do at that time? “Asking time until the 8th January 1887, in order to dispose of his cattle, and we have come to the conclusion that any person would be justified in exchanging dealings with him.” Did you know from Kennedy what he was trying to get at that time?—Yes.

7825. What?—Grass.

7826. For what?—For the cattle he had then in Kylebeg farm.

7827. Did you know from what he had told you whether he had any difficulty in getting the grass?—Yes.

7828. What did he say?

*(Sir C. Russell.)* We cannot have that.

7829. *(The Attorney-General.)* You object. Very well. He made a communication to you about his trying to get grass?—Yes.

7830. *(Mr. Atkinson.)* Did you know a Mrs. Kelly?—Yes.

7831. Do you know whether Kennedy's cattle were on Kelly's farm?—I do. I know he had sheep and cattle there.



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[Continued.]

7832. What was Mrs. Kelly; did she keep a shop, or what?—Yes, she kept a bakery and grocery, and she also had a large farm.

7833. Do you know whether anything happened to Mrs. Kelly when Kennedy's cattle were on her farm?—No, it never came to my knowledge; it was never reported to me.

7834. Now you saw this letter and took a copy of it. Did Kennedy tell you where he had got it from?—He did.

7835. Were from?

(*Sir C. Russell.*) We cannot have that, either.

(*The President.*) Kennedy has told us.

7836. (*The Attorney-General.*) Do you remember having seen a printed notice?—I have seen them posted.

7837. (*Mr. Atkinson.*) When was that?—In November 1886.

7838. What were the printed notices?—Calling a meeting at Kylebeg.

7839. Do you remember the terms of the notice, as near as you can?—Well, it was calling on the people to assemble on the historic plains of Kylebeg.

7840. Was Kylebeg the name of the farm this man occupied?—Yes.

7841. Who was the notice signed by?—I do not recollect.

7842. Do you remember the meeting afterwards taking place?—I do.

7843. Were you there?—No, I saw them.

7844. Do you know whether the three people whose names you have given as National League people were at that meeting or not?—No, I do not.

7845. Do you remember on the 9th of March, or in the month of March 1887, receiving from Kennedy the two notices which are signed by Patrick Dillon, or one notice?—One notice.

7846. Signed by Patrick Dillon?—Yes.

7847. How did you come to get that?—I happened to go into Kennedy's house and he gave it to me.

7848. What did you go in for?—While on patrol in the ordinary course of things I went in there.

7849. And subsequently the other one?—On the 14th April.

7850. How did you get that?—In a similar manner—just the same.

7851. Were there patrols looking after Kennedy at this time? I do not mean under special police protection; were there patrols?—Yes.

7852. When there are patrols having duty with reference to a man, is it part of their duty to visit his house from time to time?—It is.

#### Cross-examined by Sir C. RUSSELL.

7853. When did the patrolling begin?—It began about the time of the November meeting. There was no looking after Kennedy up to July in 1886, from the time I came there in 1884 up to July 1886.

7854. Was there any looking after Kennedy from December 1880 to January 1882?—Yes.

7855. Patrols?—Yes; he was under special protection during part of that time.

7856. But in the beginning a patrol?—And after the protection was withdrawn he was protected by patrols.

7857. The beginning part of the time he was under patrol protection?—From December 1880 to April 1881 he was protected by patrols.

7858. You were in communication with him from time to time during the whole time you were there, from December 1880 to January 1882?—Well, not much, because when he was put under special protection any other police have very little recourse to him.

7859. I mean the other police would see him then. When you returned in October 1884 what was the condition of things then? Was he then under patrol too?—No.

7860. Was he under special protection?—No.

7861. Nothing at all then?—No.

7862. Did he tell you that he was willing to give up this farm?—He did. He was willing to give it up then.

7863. When?—After the November meeting.



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[Continued.]

7864. You have no doubt, I suppose, in your mind that the cause of ill-will towards him was having taken this evicted farm?—No, there was no other cause for it.

7865. There was no doubt that was the reason. What countryman are you?—I am a County Kerry man.

7866. What part of Kerry?—Listowel.

7867. You know there is a very strong feeling against anyone who does take an evicted farm?—I have not been there for 20 years or more.

7868. As a policeman moving about the country, you know that feeling is universal?—Well, it was very general until recently. It was a general thing.

7869. (*The Attorney-General.*) What was general until recently?—Taking evicted farms.

7870. (*Sir C. Russell.*) Did you think that was the question I put to you?—That was how I took the question.

7871. My question was whether you did not know it was a very unpopular thing? Come, sir, please answer?—Well, it was a general thing, I know that. It occurred in my own locality frequently when I was a boy.

7872. I must ask you to answer the question?—It was not a popular thing.

7873. You know it was not popular?—Yes, so far as the parties immediately concerned—

7874. And caused ill-will?—Well, I never knew any ill-will until the time of the League against those, except by the parties evicted. That is just now how the matter stands.

7875. You mean, they had to fight their own battle, the parties evicted?—Yes.

7876. Were you present here in London when Kennedy gave his evidence?—I was. (*The Attorney-General.*) Do you mean to-day?

7877. (*Sir C. Russell.*) When his evidence was taken down by Mr. Shannon?—Yes.

7878. Where was it taken?—In Mr. Soames' office, on Saturday last, I think it was.

7879. Who else was there?—I did not know anybody who was there. There were three clerks there, Mr. Shannon and two others. I did not know the names of either.

7880. Those are all that were there?—Yes.

7881. Had Mr. Shannon a printed paper before him?—No.

7882. Do not answer before you think. Had he a copy of the evidence given at what has been called the Star Chamber inquiry, before Mr. Joyce, at Kilmenagh?—I did not see it. In fact, I could not say; the table was covered with papers, but I did not remark any particular paper before Mr. Shannon.

7883. Was your evidence taken at the same time?—Yes, with regard to those letters.

7884. Was it you who brought Kennedy over?—It was.

7885. Were you examined at that inquiry?—No.

7886. At Kilmenagh I mean?—No.

7887. Who instructed you to bring Kennedy over?—The officer in Wicklow. I was then at the Wicklow Assizes.

7888. Who was the officer?—Mr. Somerville.

7889. Is he an inspector or a magistrate?—He is an inspector.

7890. A district inspector in Wicklow?—Yes.

7891. Was it you who got the money to bring Kennedy over?—It was. I got money, but I refunded it immediately to Mr. Somerville again.

7892. You handed it to Mr. Somerville?—Yes.

(*Mr. Lockwood.*) I do not ask any questions.

#### Re-examined by the ATTORNEY-GENERAL.

7893. Sir Charles Russell has asked you about this unpopularity for taking evicted farms. Before 1879 if land was vacant by a tenant being turned out in the districts where you were, was it generally taken up by some other tenant?—It was. I never knew it to be idle.

7894. Always people ready to take the land?—Any amount of them.

7895. Apart from any personal ill-feeling of a man who had been turned out again



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[Continued.]

a man who had gone in, did you ever know of it being regarded as an offence to take an evicted farm?—I never did.

7896. Or to pay rent?—No.

7897. Did you ever know of landgrabbers being denounced before the League meetings?—Never.

7898. Or until the Land League did you ever know of any meetings to prevent people taking farms?—Never. I never heard of them.

7899. Or persons being punished for paying rent?—Never.

7900. How long did you say you had been in the force?—Twenty years and about four months.

7901. What parts of Ireland stationed in?—Only in the counties of Tipperary and Galway.

7902. Only one other matter about Kennedy being brought here. Did Kennedy give his evidence at the Wicklow Assizes?—He did.

7903. Were you present in Court?—I was present.

7904. I am not saying the whole story, but did he give many of the incidents of the story in the witness box which he has given here to-day?—He gave more. He gave more evidence at Wicklow than he gave here to-day.

7905. Was Mr. Matthew Harris in Court?—He was.

7906. I do not know whether you know whether any of the other people whose names you have mentioned were in Court?—John Dervin. He was attending the assizes as a witness. He was generally in Court. Whether he was in Court at that moment or not I do not know.

7907. He was at Wicklow at any rate?—He was.

7908. Was any witness called to contradict the story told by Kennedy?—No; Father Bodkin was called and asked a few questions.

7909. But no witness to contradict the story which Kennedy had told?—No, not one.

7910. Was Father Bodkin a witness in the case?—He was a witness for the defence.

7911. And was asked some questions?—He was asked a couple of questions, and Mrs. Dempsey was called and I think her evidence was objected to. It would not be accepted. It was not admissible or something like that.

7912. Do you remember whether Father Bodkin was sitting in Court when Kennedy gave his evidence?—I won't swear that, I am not positive.

Sergeant ROUGHAN sworn; examined by Mr. RONAN.

7913. You had charge of the Mullagh sub-district?—Yes.

7914. How long?—From April 1883 to November 1887.

7915. How far is that from Mullagh?—It is about two English miles.

7916. Do you know when the branch of the National League was started in Mullagh?—March 1884.

7917. Were you present at a meeting there then?—Yes.

7918. Did you see Mr. Mat. Harris and Father Bodkin at that meeting?—I did.

7919. Do you remember on the 1st of August 1886 attending a meeting of the committee of the League?—I do.

7920. Where was that held?—In a chapel yard at Mullagh.

7921. How many people attended that meeting, the committee, about?—There were about 12, the committee and others.

7922. Do you know a man named John Donnellan?—Yes, I do.

7923. Was he a member of the committee?—He was.

7924. Do you remember his saying anything?—He said they had a landgrabber in the district.

7925. Did anyone ask who it was?—Indeed a member of the committee asked who he was.

7926. What did Donnellan say?—Donnellan said Kennedy.

7927. What did the committee decide, then, about this landgrabber?—They decided to take no action on that occasion, but to appoint three members of the committee to attend at Loughrea at the convention on the 8th of the same month.

7928. What did they appoint the three members to do?—To go to Loughrea to what they call the convention, I think, to discuss the matter.



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SERGEANT ROUGHAN.

[Continued.]

7929. Who were the three members appointed?—As well as I can recollect, John Bryan, Darby Cohen, and Andrew Cohanen.

7930. Do you remember a committee meeting of the 24th of October 1886?—Yes.

7931. Do you know a man named Michael Garvey?—I do.

7932. Was he present there?—Yes.

7933. Do you remember his saying anything about Kennedy?—He introduced the name of Kennedy regarding the Kylebeg farm.

7934. What did he say?—That there should be some action taken in the matter, and another member of the committee named Bryde replied that as Kennedy resided in the Tynagh district or did not reside in the Mullagh parish they would have nothing further to do with it; so the matter dropped.

7935. Do you remember a League meeting being held on the 21st of November on Kennedy's farm?—I do.

7936. Was Sheehy, the member of Parliament, there?—Yes.

7937. Did he make a speech?—He did.

7938. Do you know what happened to Kennedy's stock immediately after that meeting?—I am aware that he had his stock taken away in January 1887, about the 8th of January 1887, because I frequently visited the farm.

7939. Do you remember in the month of April 1887 getting some information? Do not tell me what it was?—I do.

7940. In consequence of that information did you go to Kennedy's farm?—I did.

7941. What did you see when you got there?—I saw some people passing about.

7942. On the land?—On the land.

7943. Did you see a man named Andrew Hardiman?—I did.

7944. Had you a conversation?—There was another policeman with me, and he asked why they were sowing the potatoes.

7945. What did the man say?—He asked where they were sowing the potatoes.

7946. How many police were there?—There was one with me from my station, and there were six others came during the day, after.

7947. That is eight altogether?—Eight altogether.

7948. Did the people do anything on the farm when they saw the eight police?—No.

7949. Do you remember the 8th of July, going to the farm?—I think the 9th of July I went there.

7950. Did you see anyone mowing on the farm?—I did.

7951. Who was it?—Michael Dempsey.

7952. In July, August, and September did you see Mrs. Dempsey and her daughters at the place?—I saw Mrs. Dempsey. I saw the two sons and two daughters saving the hay.

7953. On Kennedy's farm?—Yes.

7954. Do you remember on the 21st of September some loads of hay being taken off the farm?—I do.

7955. Did you pursue the people who took the hay to Loughrea?—Yes.

7956. Did you catch them?—I pursued three that remained the last, and the other men pursued the other seven.

7957. Those people were brought to Wicklow?—They were.

7958. And convicted?—There were four of the parties that were got on that day at the hay convicted at Wicklow, and there were some others added to the matter for conspiracy. I believe the case for the larceny of the hay was let fall. The case for the larceny of the hay, I think, was not proceeded with.

7959. These people were proceeded against at Wicklow?—Four of the parties charged with the larceny of the hay was there, and convicted.

7960. What were they proceeded against for at Wicklow?—Conspiracy.

7961. In connexion with Kennedy's farm?—I believe so.

7962. And they were convicted?—They were.

Cross-examined by Sir C. RUSSELL.

7963. These committee meetings were held in the chapel yard, you say?—Yes.

7964. In the open air?—In the open air.

7965. And were above-board?—Above-board.



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[Continued.]

7966. You were present?—I was.  
 7967. Did you take any part in the proceedings?—No, except to listen on.  
 7968. You did not move any resolution, or anything of that kind?—Oh, no.  
 7969. Were all the neighbours about there members of the League?—I cannot say that.  
 7970. As far as you could judge?—In my opinion the majority were at least.  
 7971. Was each of these meetings held in the open air in this way?—They were, except when it was a wet day when they would go into the sacristy of the chapel. The reverend gentleman who was president of the League used to let us in.  
 7972. You went in too, I suppose?—Yes.  
 7973. No objection?—No.  
 7974. Treated civilly?—Very civilly.

Cross-examined by Mr. R. T. REID.

7975. You said Mr. Sheehy, the Member of Parliament, made a speech on some occasion?—I said, Mr. Sheehy, the Member of Parliament, made a speech on the 21st of November 1886, on Kennedy's farm, at Kylebeg.  
 7976. Was there any police reporter present taking notes of what he said?—Yes.  
 7977. And there was a police note taken, I suppose?—There was. A shorthand writer was there.  
 7978. Can you tell me the name of the police reporter?—Constable Noble. (*The Attorney-General.*) It is one of the speeches which has been supplied.

Re-examined by the ATTORNEY-GENERAL.

7979. Do you know whether any of these people were asked to subscribe to this League. Do you know yourself?—I do.  
 7980. Were they?—They were, and I saw subscriptions handed in at some of those meetings.

Adjourned for a short time.

JAMES MANNION sworn; examined by Mr ATKINSON.

7981. Are you a farmer?—Yes.  
 7982. Where do you live?—At Bannoge, County Galway.  
 7983. What part of the county?—To the west.  
 7984. Do you know Letterfrack?—Yes, I do.  
 7985. Is it near Letterfrack?—Yes.  
 7986. Do you remember the Land League being established in Letterfrack?—I do.  
 7987. By whom was it established?—It was established by members of the League.  
 7988. Do you know their names?—I do.  
 7989. What are their names?—Pat Ruane was one of the members.  
 7990. What others?—Well he had been a smith, sir, by trade.  
 7991. What position did he occupy in the League, Pat Ruane?—Well, I guess, sir, he was a money collector.  
 7992. I mean was he president, or secretary, or treasurer, or anything of that kind?—I guess he was treasurer.  
 7993. Anybody else—any other name—give me the name of any other person you know?—Yes.  
 7994. Who aided in establishing it?—Yes, another man called James Varrilly, of Letterfrack.  
 7995. When was it established?—Well, as far as I can remember, I guess it was in 1880. Perhaps it may be more, but I do not remember rightly. I guess it was in 1880.  
 7996. Were these the two men who were most active in establishing it?—Yes. (*Mr. Reid.*) Who?  
 (*Mr. Atkinson.*) Varrilly.  
 7997. What position had he in the League?—I guess he was the treasurer, too.  
 7998. In addition to those two members of the League were there any others who



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[Continued.]

collected money in it?—I guess there was another man a couple of miles from it towards the Tully direction.

7999. What was his name?—Michael Cawley.

8000. What was he?—He was another collector in the League.

8001. Do you know a man of the name of Michael McDonnell?—Yes.

8002. Was he a member also?—Yes.

8003. Did he collect money for the League?—I could not exactly tell you, but he was just a member of the League.

8004. Pat Mulkerrin?—Yes.

8005. Was he also a collector?—Yes.

8006. And Michael Coyne. Is there a man of the name of Michael Coyne a member?—Yes.

8007. Were you yourself a member of the League?—Well, I was for a while.

8008. Did you attend meetings of the League?—Yes.

8009. Where would those meetings be held?—Some of them used to be held in Letterfrack.

8010. What place in Letterfrack?—In a house called Mrs. Welsh's.

8011. Did you know her sons?—I did.

8012. Was one of them hung for the murder of Lyden?—Yes.

8013. Was that the house in which the meetings were held?—Yes, sometimes, sir; very often there.

8014. Who generally attended these meetings in Mrs. Welshs' house?—Well, I could not generally tell you, because there was such a lot around the place that used to come when they used to get the word; perhaps there might be 100 of them that would get the word, and no more than 50 of them would come.

8015. What do you mean by getting the word?—As soon as they got the word during the week to attend at such an hour.

8016. How often would those meetings be held?—Perhaps once a fortnight.

8017. What day?—Well they had no special day, but any night they would consider—any night these head men would give the others the orders to attend there.

8018. Who were the head men?—I called them in the locality James Varrilly, Pat Ruane, Michael Cawley, and Michael McDonnell, and Pat Mulkerrin.

8019. In addition to being a member of the Land League, were you also a member of the Fenian Society?—I was.

8020. Were you sworn into it?—I was.

8021. Who swore you in?—Pat Ruane.

8022. When were you sworn in?—Well I guess it was in 1880 or 1881. I guess it was in 1880, but I just do not know rightly, but as far as I can think it was 1880.

8023. Was Varrilly a member of the Fenian Society?—He was.

8024. Were all these men whose names you have given us as collectors of the Land League—were they all members of the Fenian Society?—They were, sir, every one of them.

8025. At these meetings of the Land League which were held in Mrs. Welsh's house, were all those who attended members of the Fenian Society as well as members of the Land League?—They were.

8026. Were there any who attended who were not members of the Fenian Society?—Well, not to my knowledge. I am not aware of any that was not belonging to it.

8027. (*Sir C. Russell.*) That were not belonging to it?—I was not aware of anyone being there except me.

8028. (*Mr. Atkinson.*) That is members of both parties?—Members of both parties, because no other man would be taken there except he was.

8029. Did you have a sign in that society by which they would be able to know each other?—Yes.

8030. Are you able to say from being there and from being a member yourself that these others were members of the Fenian Society?—Yes.

8031. And also as you have said members of the Land League?—Yes.

8032. Do you remember shortly after you joined—

(*Mr. Reid.*) Joined what?

8033. (*Mr. Atkinson.*) Which did you join first, the Land League or the Fenian Society?—The Land League.

8034. Joined the Land League first?—Yes.



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[Continued.]

- 8 03 Were you asked by anyone to join the Land League?—Yes.
8036. Who asked you?—I was asked by James Varrilly, and paid him money also.
8037. Did you yourself collect for the Land League?—No, sir, I would not get the chance.
8038. Did you get any money from those who did collect from it?—Not no money, but sometimes drink.
8039. Sometimes what?—Sometimes drink.
8040. At those meetings that were held in Mrs. Welsh's house from time to time, was drink distributed?—Yes.
8041. Who paid for the drink?—I believe it is the like, as far as I heard the members told the other party, it was the League that was supposed to pay for the drink.
8042. Do you know the man that had paid it?—I do.
8043. Whose hand was it?—Ruane was the man that used to pay for it.
8044. After you were sworn in by Ruane did you get a notice from Ruane by a man of the name of John Faherty?—Yes.
8045. Was he a member of the League?—He was.
8046. Was he also a Fenian?—Yes.
- (*Sir C. Russell.*) Got notice from Faherty.
- (*Mr. Atkinson.*) Yes.
8047. In consequence of that notice did you go with Faherty to a place called Tully?—I did.
8048. Did you go to Varrilly's house?—I did. It was on the right going on to Tully.
8049. Was this Faherty in company with you when you went into Varrilly's house?—Yes.
8050. Did Varrilly then accompany you on your way to Tully?—His son did. Edward Varrilly came. He came out to accompany us, and we three, all of us went on together—four of us, and Patrick Welsh who was hanged for the murder of Lyden.
8051. Was he one of the company?—Yes.
8052. When the four of you arrived at ---- is there a place called Tully Cross Roads?—Yes.
8053. Did the four of you come to that?—Yes.
8054. Did you meet any people there?—Yes, I met there Pat Ruane, Michael McDonnell, Pat Mulkerrin, and a number of people, but the night being so dark I did not know who—something about 60 or 70.
8055. When that body assembled did you go to any place?—We did.
8056. Where did you go?—We went to a man's house called Coyne—Anthony Coyne—something about a mile from the cross of the Tully.
8057. What was the name of the man?—Coyne.
8058. What was his Christian name?—Anthony Coyne.
8059. What was he?—He was a farmer.
8060. Did Ruane go the whole way with you to Coyne's house?—He did not. He gave the order to McDonnell to see everything all right, and that he could not go this night himself, because he was going on business in some other direction.
8061. Who was in command of this body of men as you parted. Was there anybody in command of that?—Yes, Michael McDonnell.
8062. Was that after Ruane had parted with him?—Yes.
8063. Up to that time had Ruane been in command?—Yes.
8064. Then he gives it over to McDonnell and left?—Yes.
8065. After McDonnell took command where did you go?—We went to the house of a man called Anthony Coyne.
8066. When you got there what did you do?—McDonnell gave the order to some of the party for to break in the door, and to take down Coyne out of his bed.
8067. Was it stated there what Coyne had done, what offence he had committed?—Yes. It was stated at Mrs. Welsh's before we left, the night before that, that he was going to evict another tenant he had, called Lyden.
8068. You say that was discussed at a meeting at Mrs. Welsh's house before this?—Yes.
- before this expedition?—Yes.



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[Continued.]

8070. (*The President.*) What was the name of the last person you mentioned?

(*Mr. Atkinson.*) An under-tenant named Lyden.

8071. Was there any arrangement come to between you at this meeting before you left as to what should be done to Coyne?—Yes.

8072. What was the arrangement?—The arrangements were we were to give him a beating and to get a copy of the processes, that we were not to force him any further, but if not to shoot him.

8073. Get the processes?—Get a copy of the processes.

8074. What were those processes, who were they against?—They were against Lyden.

8075. (*Sir C. Russell.*) The under-tenant?—Yes.

8076. Had any of these party firearms with them?—Yes.

8077. Which of them?—Michael Cawley had a revolver, and Pat Welsh had what I call a rifle and Michael McDonnell had another revolver. They took down Coyne out of bed.

8078. Ultimately did they arrive at Coyne's house, and you say they broke in his door?—They broke in the door.

8079. Who was it who broke in the door?—I really could not say on account of the dark which of the parties, but I knew the house was broken in immediately and he was taken down out of bed.

8080. Who took him out of his bed?—I guess it was John Toherly Mulkerran and a couple more I do not rightly know, it being dark; they put out the fire.

8081. Who put out the fire?—The people as we went in.

8082. Was there any light in the place?—No.

8083. What was done with Coyne?—He was pulled down, and he was sworn not to force the law against Lyden, and he was demanded a copy of the process, and he swore that he had not them, that the process-server at Clifden had them, and he told them there that he hoped the people would give him a chance of his life at this time.

8084. Was he beaten or ill used?—He was greatly beaten; he was very much beaten; they just gave him a very great kicking as you call it, and fired three shots through the roof of the house.

8085. Who fired the shots?—I guess it was Mulkerrin fired three shots from the wall through the roof of the house, and Pat Welsh also fired one. Only for that I would not know the men who fired the shots, but I knew them from the light of the gun.

8086. You saw from the flash?—The flash as it went through the house.

8087. Did you all leave Coyne's then?—We all left Coyne's.

8088. Where did you go to?—Every man scattered and went to his own place.

8089. Did you go back to Letterfrack?—I did.

8090. Was anybody apprehended for that?—No, sir.

8091. Now, sometime after that did you get notice to attend a meeting?—Yes.

8092. (*Sir C. Russell.*) What was the exact date of that?

(*Mr. Atkinson.*) About six months after he was sworn in.

(*Sir Henry James.*) The one you have just proved.

8093. (*Mr. Atkinson.*) The visit to Anthony Coyne's house, what was the date of that?—I could not really tell you. I thought I would never be taken into such a thing as this, and I did not mind keeping the date.

8094. About what year?—I guess it was in 1880, it was immediately, or not very long after, being just sworn in.

(*The President.*) All I have got about that is, sworn in in 1880.

8095. (*Mr. Atkinson.*) Yes, sworn a member of the Fenian Society; do you know what time in 1880 you were sworn in?—I guess it was in the month of November.

8096. After this business of Coyne, did you get notice to attend a meeting at a place called Mullaghglass?—I did.

8097. Who gave you that notice?—Edward Varrilly.

8098. Did you go to that?—I did not.

8099. Subsequently to that, were you at a meeting where there was any discussion about Mr. Graham's tenants?—Yes.

8100. Was that the same meeting I mentioned?—It is not.

8101. Where was the meeting at which there was a discussion about Mr. Graham's tenants?—It was held in Letterfrack.



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[Continued.]

8102. Where?—In this Ruane's shop.

8103. That is Pat Ruane?—Yes.

8104. About what date?—Well, I really could not give you the date, but I guess it was in 1881.

8105. Was it after Ayne's?—Yes, after Ayne.

8106. About how long after?—I guess it was nearly seven or eight months.

8107. At what time of the day or night was the meeting held?—Well, it was held in the evening, somewhere about 9 o'clock.

8108. Were there many present?—Not above five or six this night.

8109. Who were they?—Well, Pat Mulberrin was one of them.

8110. Who else?—Another man they called Connaboy—Pat Connaboy—and another man called Pat Donnellon—Michael Donnellon—I do not know rightly his name, but he was Donnellon.

8111. Was Pat Ruane there himself?—He was.

8112. Now, who had given you notice to attend that meeting?—Ruane himself. I happened to be there this evening, and he told me to wait, that he wanted me for a while.

8113. Then you did wait till these men assembled?—Yes.

8114. Had there been any others there who went away before you had this meeting?—Well, I do not know. I could not really tell you, because there might be a few more, but I just did not know myself.

8115. When they were having this meeting tell us what occurred about Mr. Graham's tenants?—I have been one of Mr. Graham's tenants at the time.

8116. You had been?—Yes; and there was some reports there that Mr. Graham's tenants were paying rent, and Ruane started the question to me, and these other four men, that Mr. Graham's tenants were paying rent.

8117. What did they say to you?—They told me that Mr. Graham's tenants had the country ruined for paying rent; and I answered him the question back that Mr. Graham's tenants, or Mr. Graham, came to very good terms with his tenants and he gave them a very good reduction, and that they were satisfied with that, and says, "I do not see why we should not pay it."

8118. Had he given you a good reduction?—Yes.

8119. And were you all satisfied?—Yes; we were satisfied with it, I think.

8120. When you said that, did anybody reply to that?—Yes; Donnellon replied that Mr. Graham——

8121. Who replied?—Donnellon replied to the question that Mr. Graham should be shot, or some one belonging to him for doing so.

8122. (*The President.*) For doing what?—For paying the rent.

8123. (*Mr. Atkinson.*) Did Mr. Graham pay the rent?—No, sir; but Mr. Graham or someone belonging to him should be shot for paying the rent.

8124. How do you mean for paying the rent?—For paying the rent, and because they did not stand out further and they would get more reduction.

8125. Was not Mr. Graham the landlord?—Yes.

8126. He would not have to pay rent?—No.

8127. The tenants were to pay the rent?—Yes; and this man replied that Mr. Graham should be shot, or someone else belonging to him—he said no more.

8128. Do you remember subsequently speaking to Ruane about a Mr. Joseph McDonnell?—I do.

8129. Before I leave that, was there anything more done about Mr. Graham's tenants upon that night?—No, sir; afterwards a good deal of them got notice.

8130. On that evening nothing more was done?—Nothing more was done—a good many of them got notice not to pay rent any more.

8131. Who gave them notice?—Our party gave the notice that were sent out to do it.

8132. That is to the tenants?—Yes.

8133. You accompanied, did you?—I went myself and I posted a notice on two men's doors.

8134. On the tenants' doors?—Yes, I was sent.

8135. (*The President.*) Notice to Mr. Graham's tenants?—Yes.



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[Continued.]

8136. (*Mr. Atkinson.*) What were the effect of the notice?—Not to pay any rent and any man that would pay rent, if they found it out, would be shot.

8137. Were other notices posted on their doors?—They were

8138. After that did the tenants pay any rent?—They did, but how they paid is unknown.

8139. They paid by stealth?—Yes.

8140. Not openly?—Yes, not openly.

8141. How long did they continue on Mr. Graham's estate—how long was it before they paid any rent?—Well, it did not continue very long at all.

8142. Were proceedings taken?—No.

8143. They paid on the sly?—They did, they paid all on the sly.

8144. Do you remember after that having a conversation with this man Ruane about a Mr. Joseph McDonnell?—Yes.

8145. Where did that take place?—Well, I being up at my own place, about a mile from Letterfrack, he sent a message for me to be down at 4 o'clock.

8146. Down where?—At Letterfrack; and the messenger came and he told me to be down at 4 o'clock sharp at Letterfrack. Very well I says, but told the boy, I says yes, and I met Pat Ruane and five or six more at a place in a little square of road at a cross road where three roads adjoin. I met him there and he just came to me, and he called me.

8147. That is Ruane?—Yes, Ruane did, and he told me that he wanted to send me a message, and I says yes, and he sent me down. Says he, I am told that Mr. McDonnell is going to dine this evening along with Mr. Graham, and says he I want you, as you are going in there very often, says he, round that place, to know the ins and outs before I put the men down to watch there says he. Well, I went down, and I went into Mr. Graham's kitchen.

8148. Did he say to you then what Mr. McDonnell had done?—He did not.

8149. Or did he say why he was wanted to find out whether he was dining at Mr. Graham's?—No; but he sent me down there afterwards to see would he be there that night.

8150. What was Mr. McDonnell?—He was an agent belonging to Mr. Graham.

8151. Mr. Graham's agent?—Yes.

8152. Did he state to you at all then at that time why he wanted to ascertain whether Mr. McDonnell was dining at Mr. Graham's this night?—Yes.

8153. Did he say that to you?—Yes, he wanted to know if he would be at dinner there, for he was to be shot, and that any man who would shoot him would be well paid for his work.

8154. Did you go down?—I did.

8155. To ascertain whether he would dine?—Yes.

8156. Did you ascertain that he would dine?—I asked the butler, for he was a great friend of mine, would Mr. Graham have a good many gentlemen to-night, and he told me a few; but I did not ask who they were. I knew very well he was to be there.

8157. Did you go back and give the message to Ruane?—I did.

8158. What did you tell Ruane?—I said that Mr. McDonnell would not be there, but Mr. Graham was going to dine with Mr. Brinn, some other gentleman, about half a mile away.

8159. That was not true?—It was not true, because I was on good terms with them myself, and I was going to be one of the party myself; I did not like to have any hand in it.

8160. According to the rules of the Fenian Society, are you obliged to do anything you are ordered to do?—Certainly, and if you do not, and you are found out, you would be shot.

8161. If you disobey orders?—If you were found out; but there was no other witness but myself.

8162. Was there anything done about Mr. McDonnell?—No, Sir, except that they took a very great number of his sheep.

8163. Were you present at that yourself?—Well, yes, sometimes.

8164. What did they do with the sheep?—Well, they used them in a place called Mrs. Welsh's place, on account of the farm they had at Letterfrack, and they wanted to boycott him, and they had a meeting one night, and there was no other way to get him out of it but to steal his sheep, and I goes one night and there would be a meeting in Letterfrack, and there might be five or six of them taken.

8165. Mr. McDonnell, you were wanting to boycott him?—Yes.



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[Continued.]

8166. Had a person been boycotted from this farm?—No.

8167. Had he taken it?—He had taken it, I believe, for a long time, a gentleman called Mr. Orr.

8168. At all events, you resolved to boycott him?—Yes, they wanted to get him out of his farm.

8169. Was that discussed at one of the meetings held at Mrs. Welsh's house?—Yes.

8170. Did you resolve to boycott him?—Yes; they said there was no use in drowning them, but take them where he would never see the sight of them.

8171. Take the sheep?—Yes.

8172. Were sheep taken from time to time?—Yes, perhaps five at one time and six another time, and so on.

8173. When taken where were they brought to?—They were taken to Mrs. Welsh's house.

8174. That is the Welsh living at Letterfrack?—Yes.

8175. At this time were both of her sons alive?—They were.

8176. Do you know a gentleman of the name of the Rev. Canon Fleming?—I did.

8177. Does he live at a place called Ballmakill?—Yes.

8178. Do you remember working in a quarry near the house once?—Yes.

8179. Was John Faherty whom you have mentioned one of the members of the League?—Yes.

8180. Was he working with you?—Yes, he was.

8181. As he was working with you, did young Mr. Fleming, a son of the canon's, pass down?—Yes.

8182. Did Faherty say anything to you in reference to young Fleming?—Yes, he told me in the Irish language that he would not like to be in his boots.

8183. In the father's?—Yes.

8184. Was anything afterwards done to him?—Yes; that is before he was fired at.

8185. Was Canon Fleming subsequently fired at?—He was.

8186. Had you a meeting in Mrs. Welsh's house in reference to firing at Canon Fleming?—No, I knew nothing about that.

(*The President.*) Was Flaherty both a Fenian and a Land Leaguer?

8187. (*Mr. Atkinson.*) Did he belong to both societies, the Fenians and the Land Leaguers?—Yes.

8188. Do you remember being at a meeting at a place called Cawley's mountain?—I do.

8189. About when was that?—Well, I guess it was in 1881. That is as near as I could go on to it, because I did not take any date of these things at all.

8190. Was it a large meeting?—There was a very large meeting there.

8191. How many people were there?—Indeed, there were about a couple of hundred there or more, I am sure.

8192. What were they assembled for?—They were assembled to have a meeting there for boycotting so and so.

8193. Who was it?—Well, they wanted to boycott Mrs. Blake, and a lady down there called Mrs. Prior.

8194. Is it Mrs. Blake of Renvyle?—Yes, Renvyle.

8195. Who was the other person, do you say?—Another lady that held a farm of land there at Ballinakill, called Mrs. Prior.

8196. Was it held at night?—It was held at night, something about between 12 and 1 o'clock, by moonlight.

8197. Was Ruane there?—Indeed he was; all the members belonging to it in that locality were there.

8198. Were all these persons members of the League?—They were, every one of them. They were all Land Leaguers.

8199. Were they also Fenians?—They were.

8200. Did you know any difference between the two bodies? As far as you were concerned were the members of one the members of the other?—Well, just so, that is the way.

8201. Do you remember the time when the Lydons were murdered?—I do.

8202. Before that day was there a meeting held in Mrs. Welsh's house?—Yes.

Was her son Pat present?—Yes.

Was the son who was hanged for Lydon's murder?—Yes.



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[Continued.]

8205. Was her other son Michael also present?—Yes, he was there too.

8206. Who else was present that you remember?—Edward Varilly was there, and a man called Michael Cawley and John Flaherty, and the others I do not remember. There were a good many of them in it.

8207. Had you got notice to attend?—Yes.

8208. From whom had you got the notice?—I got it from Ruane.

8209. Was Ruane himself there?—He was not, but his brother was there, Johnny Ruane.

8210. Is he a Land Leaguer?—Yes.

8211. Is he also a Fenian?—He is both a Land Leaguer and a Fenian.

8212. Was there any discussion about the Lydon's?—There was.

8213. What was discussed about them?—That they ought to be shot on account of being herding for Mr. Graham, for herding that farm for Mr. Graham.

8214. What farm?—The farm they were shot for.

8215. Was that the farm from which the Welches had been evicted?—Yes, a part of it, one town land of it.

8216. Was any arrangement come to about the shooting of them?—Yes, all the arrangement there was was that they went out after being there, but it was arranged just to fire before the last meeting that was held there, that a party was to go there for to do so, and Ruane said that he would send for them.

8217. At a previous meeting?—Yes.

8218. At a previous meeting it had been arranged they should go there, but he was to send for them before they would actually go?—Yes.

8219. Was this meeting you have been speaking of the second meeting?—It was. We were sent for then for to go there, and about six of us went to the house, something about a mile or a mile-and-a-half, I guess it was something about over an Irish mile.

8220. Could you tell me who the six were?—John Flaherty, John Ruane, Henry Varilly, and myself. I forget the other men's names, but I know there were six.

8221. Were these six men selected by anybody, or named by anybody?—They were named by Ruane and Pat Welch.

8222. Who was Pat Welch?—The boy who was hung for Lydon afterwards.

8223. Did you, all six arrive at Lydon's house?—We went something about 50 yards off Lydon's house, but he kept a light.

8224. Had any of you firearms?—Yes.

8225. Who had the firearms?—Well, Cawley had one and Welch had a revolver.

8226. Had you any yourself?—I had not, but Edward Varilly had one, had another revolver.

8227. When you arrived at Lydon's house was there a light in the house?—There was.

8228. Did you do anything to the stock, were there cattle about the house when you arrived?—Well, the cattle was something about 50 yards away from the house, and when the light was there we did not like to make any appearance on account of the light being inside, and one said to the other it was the best plan for to drive the cattle around the house in order that Lydon might come out, and that he might drive them away again from the house, that they would get a chance of shooting him, but the cattle were driven up, and Lydon's dogs were barking, and he did not come out.

8229. So they did not get the chance of shooting him on that occasion?—They did not get the chance that time of shooting him.

8230. Did the party disperse then?—Yes.

8231. Afterwards Lydon was shot, I believe. Were you there when he was shot?—No, I was not aware of it until the following morning until I heard he was shot.

8232. Between the time you made this visit to Lydon's house and the time he was shot, were you at any meetings?—No, I was not. I was not aware of it until I heard he was shot the following morning.

8233. From time to time did you get notice to attend at these meetings at Mrs. Welch's house?—Yes, but I did not attend the half of what was held in it for I could not attend.

8234. Have you been at many of those meetings?—I have been, but I was not at one out of a hundred that was held.



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8235. Have you been out? Do you know what moonlighting is?—I do, well.

8236. Have you been moonlighting often?—Well, sometimes.

8237. Who were the men moonlighting?—We called these Land Leaguers, the moonlighters, all the moonlighters I had seen.

8238. As far as you knew, did you know any moonlighter who was not a member of the Land League?—I did not.

8239. Who were the men who you moonlighted at night?

(*The President.*) Of course one knows generally who moonlighters are, but when you say moonlighted I do not quite know what you mean.

8240. (*Mr. Atkinson.*) Who were the persons you visited? When the moonlighters go to a house to visit a man, what do they do to him?—Well, perhaps they might beat him, sir, and shoot him.

(*Sir C. Russell.*) “Perhaps they might.” What did they do?

(*The President.*) Commit any outrage?

8241. (*Mr. Atkinson.*) Beat him, or shoot him, or commit some outrage on him?—Yes.

8242. For what offences?—Perhaps that depends on whatever he was doing out of the way.

8243. What do you mean by doing out of the way?—It depends on whether he was paying rent.

8244. (*Sir C. Russell.*) But let us know?—Or taking land, or something.

(*The President.*) This must be kept within some limits.

(*Sir C. Russell.*) Let us know then.

(*The President.*) I have that he has been moonlighting, and he has told us what that means.

8245. (*Mr. Atkinson.*) Have you yourself engaged in any moonlight attack upon any man for anything but paying rent, or taking evicted farms?—No.

(*Sir C. Russell.*) Really, my Lord, I do object. It is most unfair to put a statement of that kind.

(*The President.*) Just so.

8246. (*Mr. Atkinson.*) Have you yourself moonlighted a man for paying rent?—Yes.

(*Sir C. Russell.*) Again I object.

(*Mr. Atkinson.*) Who?

8247. (*Sir C. Russell.*) I object to a leading question.

(*Witness.*) I did not moonlight him, but I left a notice on his door not to pay any rent.

(*Mr. Atkinson.*) Well, I will not go into any further particulars. That is what you have left.

(*The President.*) “I have left notices on a man’s door.”

8548. (*Mr. Atkinson.*) Were some of those men you have mentioned tried?—Which?

8249. Ruane. Where is he, for instance?—He has gone away to America.

8250. Were some of the other six you have mentioned tried?—Tried?

8251. Yes.—Some of them were tried for conspiracy to murder.

8252. Who were tried?—A man called Connolly and another called Joyce, and Varilly and John Flaherty. They were tried for the Lydon’s murder.

8253. Were you present in Court at the trial of those that were tried for conspiracy to murder?—I was.

8254. Had you made a deposition?—Well, not in Court; but I was examined before the grand jury.

8255. Had you made a deposition before the magistrate?—Yes.

8256. In the presence of these men?—Yes.

8257. Did they plead Guilty?—They did.

#### Cross-examined by Sir C. RUSSELL.

8258. Are you a Ribbon man?—Sir?

8259. Did you not hear me?—No.

8260. Are you a Ribbon man?—Well, I do not understand it, sir.

8261. What?—I do not understand that, sir, rightly.

8262. Did you ever hear of the Ribbon Society?—I did not.

Never?—Never.

When did you first hear of Fenianism?—Well, I never knew anything about the Land League starting down in that country of ours.



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8265. You never heard of Fenianism?—I never did. I did not know a pick about it.

8266. Have you lived in Letterfrack, or the neighbourhood of Letterfrack, all your life?—Yes.

8267. Have you been in America?—No.

8268. You have not been away from Letterfrack?—I never left the country excepting to come to London.

8269. With whom did you come to London?—Well, I came by train.

8270. With whom is my question?—Bedad, sor, there was any amount of fellows with me, but I did not know who they were.

8271. You did not know any of them?—I did not.

8272. Not even the policemen?—Well, I seen some policemen in this city that I seen some time in Galway.

8273. Were you charged yourself with having anything to do with the murder of Lydon?—I were.

8274. And how long were you in gaol?—Well, I guess I was something about three or four months.

8275. And how did you come to be let out?—Well, I was let out because they could not find much agin me.

8276. Did you make any statement before you were let out?—Well, not to my recollection.

8277. Think?—Well, if I did I do not remember.

8278. Did your mind give way at all when you were in prison?—Yes, I just got. I wanted to get out of prison, and I got a little excited.

8279. You think you have got back your recollection very clear, have you?—Yes, I guess so now.

8280. What was it that excited you?—Oh, I did not know myself.

8281. How long was your mind affected?—About five or six weeks.

8282. And where were you at this time?—I was in an institution called Ballinasloe.

8283. In gaol?—No.

8284. In an asylum?—Yes.

8285. Were you removed from the gaol to the lunatic asylum?—Yes.

8286. You were there five or six weeks, you think?—Yes.

8287. And after that five or six weeks, what then?—Well, I just came home.

8288. You were let out then?—I was let out then. The doctor told me he wanted me no more.

8289. Then had you been released from gaol before you went to the lunatic asylum?—No.

8290. Then you were a prisoner at the time you were moved to the asylum, were you?—Yes.

8291. Did you make any statement before you left the asylum?—No.

8292. Or before you left the gaol?—No.

8293. What age are you?—Well, I could not exactly now tell you. I guess, as far as my opinion, up to 28 or 29 years of age.

8294. You are about 28 or 29?—Well, I do not know really, but as far as I could think I might be that.

8295. Now attend to me. On this particular night when you went with five other men to Lydon's house you went to murder Lydon if you got the chance?—Yes.

8296. And you knew that when you went?—I did.

8297. And when you went to Koyne's house, you knew that you were going to commit an outrage upon that man?—Yes.

8298. And you went?—Yes.

8299. Except those two outrages and the posting of these notices of which you have spoken, have you taken part in any other yourself?—Any of which?

8300. Except those two outrages of which you have spoken, namely, going to Lydon's with a view to murder him, and going to Koyne's with a view of committing the outrage upon him, have you taken any part in any others yourself?—Certainly.

8301. Where?—Oh, I have not taken part, but I just went there along with the others: I was along with the party.

8302. Have you taken part yourself by going there with others, and if so, where?—Well, I do not understand you well, sir.



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8303. Well, I think it is plain enough. You have told us of two outrages, or perhaps three?—Yes.

8304. Posting notices, going to Koyne's, and going to Lydon's?—Yes.

8305. Have you taken part in other outrages?—Well, yes; some more.

8306. Upon whom?—Well, I have been just going at Mr. McDonnell, but I did not go.

8307. You told us that. You say, according to your account, that you put the other murderous men off the scent?—Yes.

8308. Is there any other than these you have mentioned that you have taken part in?—Well, I have been at some of these. I seen some of these sheep taken of Mrs. Welsh's; taken from McDonnell.

8309. That you have also mentioned. Is there anything besides what you have mentioned?—Not that I know.

8310. On your oath, do you say you never heard of Fenianism before 1880?—I did not.

8311. You swear you did not?—I swear I did not. I did not know a pick about it down in that country. I never heard of it. I did not know anything about it.

8312. Now, is it not the fact that secret societies extensively exist in that part of Galway and to your knowledge?—Not to my recollection.

8313. Have you heard them spoken of?—No; I knew nothing at all about it until I seen the Land League started.

8314. Have you since heard them spoken of?—Yes, I have heard them since.

8315. Have you heard since that they existed before your childhood in that part of the country?—Well, I heard something about it afterwards.

8316. Were these meetings at Welsh that you have spoken of, Fenian meetings?—Well, I do not see how I could call them Fenian meetings, because they were all Land League meetings. That is what I call them. That is as far as I —

8317. Was there anyone there who was not a Fenian?—Well, I would not know what to call them, excepting I call them Land Leaguers.

8318. Was there anyone there who was not a Fenian?—No.

8319. Now I want to ask you, do you allege, and be cautious in your answer, that the people who were members of the Land League there were all Fenians? Take care, now, before you commit yourself to an answer?—Well, I do not know, but they used to hold the meetings there. I did not know much about them at the time, but I just used to attend sometimes. And when there was to be an outrage they used to go and do it.

8320. Did you know the clergymen of the district?—I did.

8321. What were their names?—Father McAndrew is the reverend down there now.

8322. The parish priest?—Yes.

8323. Do you say he was a Fenian?—I do not.

8324. Was he a member of the Land League?—Not to my recollection. I knew nothing about the gentleman.

8325. Then if we have been told that he was President of the Land League, you did not know him as President of the Land League?—I did not.

8326. Did you know Father O'Connor?—I did.

8327. Was he a Fenian?—Well, I did not know anything about the reverend gentleman.

8328. Was he connected with the Land League?—I could not really tell you.

8329. Then if he was the secretary of the Land League, you never knew anything about him?—I did not say he was.

8330. I am saying, if he were?—Well, I do not know.

8331. We have been told before by another witness he was, as I understand?—Well, you might know a little more than me.

8332. Were not these meetings that were held at night at the widow Welch's house pure and simple Fenian meetings and nothing else?—Well, I would not call them, because at the Fenian meetings the things are very different. They would not outrage or kill cattle or burn houses. They would be going up and shooting a man before his face.

8333. You have not told us anything about killing cattle, you know. You say if there were Fenians they would have gone up and shot their man?—Yes.



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8334. Have you any reason, except that, for suggesting these were not Fenian meetings?—That is my belief.

8335. That is your belief?—That is my belief.

8336. But, as a matter of fact, all these men you did meet in the dead of the night at widow Welch's were Fenians?—Well, I would not call them Fenians. I would call them Land Leaguers.

8337. You forget. You persist in calling them Land Leaguers, but you have told the learned counsel everyone of them was a Fenian. Is that true or not?—Well, they might, sir.

8338. Is it true, or not, what you have sworn?—They were called Fenians sometimes there, and they were called Land Leaguers.

8339. Is it true, or not, as you have sworn, that each one of the persons who attended these night meetings at the widow Welch's, that they were to your knowledge Fenians?—Well, I guessed they were both parties. That is as far as I could go, and no further.

8340. I do not care how you answer. Do you now say that any persons attended at widow Welch's that were not Fenians?—Well, I would call them both parties, both Fenians and Land Leaguers.

8341. Answer my question?—That is so far as I can answer it.

8342. Attend. Do you now swear that anyone attended these night meetings at Mrs. Welch's who was not a Fenian? If so name one. Come, sir, answer?—Well, I would call them——

8343. I am not asking you what you would call them. Will you swear that any one of the persons you saw at these night meetings at widow Welch's was not a Fenian like yourself?—They were not. There were some other parties in that house who were not Fenians.

8344. I am not talking of the women of the house, or the children of the house?—They were more than children.

8345. Have you sworn or not in answer to that gentleman that the men who attended Mrs. Welch's meetings were Fenians? Is that true?—But they would not be that named.

8346. Did you say that you knew them by a secret sign?—I did.

8347. Was that true?—It is true.

8348. Then was it true, as you told him, that knowing these men by secret signs, each of them was a Fenian?—Yes, that is true.

8349. We have got it at last. Were you a Land Leaguer?—I was.

8350. Had you a card?—I got one.

8351. Had you a card? Answer my question as I am putting it?—I got one.

8352. Had you a card?—Yes.

8353. Who gave it you?—I got it from Ruane.

8354. When?—Oh, it is about six years ago, six or seven years ago. I do not know how long it is since the time I got it.

8355. Where did you get it from Ruane?—I got it at Letterfrack.

8356. Where?—In a place called Letterfrack.

8357. I am perfectly aware. Where? Letterfrack consists of several houses at least. Where did you get the card?—He gave it to me at Mrs. Welch's.

8358. At a Fenian meeting?—No, there was no meeting held on this day. It was on Sunday.

8359. There was no meeting?—There was no meeting.

8360. He handed you a card?—He handed a card to me.

8361. Whose name was signed to it?—Well, I could not read, and I did not know.

8362. Did you, on your oath, ever get a card as membership cards are, signed by the president and secretary of the Land League?—Well, he gave me the card, but I was not able to read, and I did not know what it meant. He said, "Here is a card for you."

8363. "Here is a card," and you did not know what it was?—For being a Land Leaguer.

8364. What?—"Here is a card for you being a Land Leaguer," he says.

8365. Have you got it?—I do not know, indeed, whether it is in the house or not.

8366. What house?—In Ireland.



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8367. At Letterfrack?—Yes, it may be there or it may not.
8368. I suppose you could get it?—Well, I might, indeed.
8369. I wish you would try. Who asked you to join the Land League, if anybody?—The members of the League.
8370. You know that is no answer?—Well, that is as straight as I could bring it out.
8371. Who asked you, if anyone ever did, to join the Land League?—Pat Ruane.
8372. That is the man you know is in America?—Yes, and James Varilly.
8373. Where is he?—He is in Letterfrack.
8374. James Varilly?—Yes.
8375. Can you tell when they asked you to join the Land League?—When they asked me to join it I saw the whole of them joining it, of course, why should not I go and do it.
8376. When, was my question?—I could not really understand you well.
8377. Do you understand me now; when?—I could not understand what you mean.
8378. When were you asked to join the Land League?—Well, about the same time as I had been sworn for being a member.
8379. Of the Fenian Brotherhood?—I believe so, whatever they call them.
8380. When were you asked to join the Land League?—Yes.
8381. When? Give me the date?—I was joining the League before that.
8382. When were you asked to join the League; the year?—Well, I guess it was in 1880.
8383. Will you swear it was in 1880?—Perhaps I might go, but I guessed as far as I could——
8384. Will you swear there was any League at all in 1880 in Letterfrack? Think before you answer?—Well, I guess there were.
8385. Do not mind guessing, you are on your oath. Will you swear there was?—I am sworn before.
8386. Will you swear there was?—I could not exactly swear it, but as far as my opinion that is the time.
8387. In reference to this man, Lydon, did you come over with poor Mrs. Lydon, the wife of the murdered man?—I did not see that woman for the last six years.
8388. Is not she living there?—Well I guess not.
8389. Where is she?—I could not really tell you where she is.
8390. We have heard from her the shocking story of her husband's and her son's death. You were a tenant of Mr. Graham's, were you?—Yes.
8391. Or your father, which?—My father was a tenant of Mr. Graham's.
8392. And was the Mrs. Welch at whose house these night meetings were held any relation to the person who was evicted by Mr. Graham?—I do not understand you. I not understand that question.
8393. You know there was a tenant called Welch evicted by Mr. Graham?—I know there was.
8394. Do you know that Lydon went in to take care of the land?—Yes.
8395. I am asking you was the Mrs. Welch at whose house these night meetings were held any relation of the evicted tenant?—No.
8396. Was not she herself the evicted tenant?—Yes.
8397. Then why do you say she was no relation?—That is what made me ask, as I did not understand you.
8398. Then she was actually the evicted tenant herself?—She was; her husband.
8399. And the man who was hanged for the murder; I think there was only one?—One.
8400. Was her son?—There was one hung.
8401. And he was her son?—No; her son.
8402. Was not Pat Welch her son?—Yes; no.
8403. Was not that the man that was hanged?—Pat Welch was hanged for Lydon's murder.
8404. And he was her son, I say?—Yes.
8405. And he was not one of the six who went that night when you went as one of the murderous party?—He was.
8406. You did not mention him?—I did.
8407. I am wrong, I apologise to you. You mentioned John Flaherty, John Carley?—Yes.



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8408. Yourself?—Yes.

8409. And was Welch the sixth?—Yes.

8410. Then I misunderstood you. You mentioned it, I am told, later on. You did not at first give his name. Were you examined at any inquiry called the Star Chamber inquiry; were you examined at any secret commission?—Where?

8411. Anywhere?—Well, I was in the office since I was back here.

8412. Were you examined in any court in Ireland?—I was examined at Galway before the grand jury, and before a magistrate.

8413. But you were not called at the trial?—No; they cried Guilty; the parties cried Guilty.

8414. Yes, I understand. Except that occasion, when you say you were before the grand jury, were you examined before any other court?—No.

8415. You were not?—I guess not.

8416. What?—No, not to my recollection I was not.

8417. Who was it who came to you in Letterfrack about giving your evidence?—Sir?

8418. Who was it who came to you in Letterfrack about giving your evidence?—Well, I was arrested by the police.

8419. When?—At Letterfrack.

8420. I am asking you who was it who came to you about coming to give your evidence here before my Lords?—I did not know the gentleman that handed me the summons.

8421. You do not know who it was?—No. To my recollection I never saw him before.

## Cross-examined by Mr. REID.

8422. You have told us you are a Fenian; are you a member of any other secret society?—No.

8423. Do you know of any other secret societies near Letterfrack?—I do not.

8424. You were asked about Ribbon men; have you ever heard about Ribbon societies?—I never heard a word about them.

8425. Never heard the word mentioned?—No.

8426. That you swear?—That I swear.

8427. Nor any other secret society at all?—No.

8428. Let us understand one another. You swear that you have never heard of any other secret society in Ireland at all, except the Fenian society?—No.

8429. Upon your oath you say that?—I do.

## Cross-examined by Mr. LOCKWOOD.

8430. You say you were sworn in in 1880. This may assist us. Do you remember anything of the oath that you took?—Well I do not, sir. It was very hard, I could not think.

8431. What do you mean; it was a hard one for you to take or to remember?—I repeated it over, but I could not think of it.

8432. You cannot help me then. You have no recollection of it?—No.

8433. You are now 29 years of age, and you have lived, you say, in that neighbourhood of Letterfrack all your life?—I did.

8434. Do you remember the Rev. Mr. Ryder being shot at?—Sir?

8435. Do you remember the Reverend Mr. Ryder being shot at?—I do not know that gentleman.

8436. Do not you know his name?—I do not.

8437. A Protestant clergyman?—Oh, yes; I remember that he was fired at.

8438. When was that?—Well, I guess it was in 1880, I think.

8439. What?—I guess it was about 1880 or 1881. I do not know which.

8440. 1880 or 1881?—Yes.



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[Continued.]

8441. You remember the incident. Now do you suggest that Mr. Ryder was shot at after the Land League was established in that neighbourhood?—I do not know the man at all.

8442. That is not an answer to my question?—I do not know about that gentleman at all.

8443. I am not asking you whether you know him. You say you remember or have heard of the incident. I ask you when it was; you say in 1880 or 1881; now I ask you whether you suggest that that incident took place after the Land League had come into existence in that neighbourhood? Do you suggest that?—That is all I know about it.

8444. I do not follow what you mean by that answer. Do you mean to suggest that Mr. Ryder was shot at after the Land League came into existence in that neighbourhood?—I do not know the gentleman at all.

8445. You know you have already told me that you know him by name. Just listen to what you have sworn. You have sworn you believe he was shot at in 1880 or 1881. Now I am anxious to ascertain what your recollection is about this, and I ask you whether you suggest that he was shot at after the Land League had come into existence in that neighbourhood. Do you suggest that?—Which man is this? What is the man's name, you mean.

8446. Do you mean to say you do not know who I am talking about?—I do not.

8447. Mr. Ryder?—I never heard a word about him.

8448. Yes, you did, and you have sworn he was shot at in 1880 or 1881. You have sworn he was shot at in 1880 or 1881?—I do not know. I never heard a word about him.

8449. Did you not swear in answer to my question just now that you believe Mr. Ryder was shot at in 1880 or 1881?—Lydon, you mean.

8450. Ryder, the Protestant clergyman, whose name you recognised just now?—I only remember that there was a gentleman there named Fleming, and that he was fired at.

8451. I asked you when that was?

(*The President.*) Mr. Fleming was a different man from the man you were speaking of.

(*Mr. Lockwood.*) My Lord, I was under the impression that the witness in answer to me said that Ryder was shot at in 1880 or 1881.

(*The President.*) I so understood him.

(*Mr. Lockwood.*) It is quite possible, of course, for me to be in error.

8452. I ask you now with regard to Ryder, the Protestant clergyman, do you remember him?—I do; I know a gentleman there, the Rev. Mr. Canon Fleming.

8453. Will you let Canon Fleming alone?—But I did not know.

8454. Will you just please leave Canon Fleming alone for a short time, and answer my question, which is this: did you know in that neighbourhood a Protestant clergyman called Ryder?—I did not.

8455. Never heard of him?—Never.

8456. Do you suggest that Canon Fleming was shot at in 1880 or 1881?—Yes, that was fired at.

8457. When do you say it was?—Well, I guess it was in 1880 or 1881. I could not tell you which, I could not give you just which.

Cross-examined by Mr. BIGGAR.

8458. You told us you knew something about the Welsh's. Do you know anything about the evidence given on the trial of Welsh?—I did not know anything about it, excepting just what I told you. I told the gentlemen in Court.

8459. I beg your pardon?—I did not know anything about it, except what I told the gentlemen and their Lordships in Court.

8460. You were not present at Welsh's trial, were you?—Yes.

8461. You were present at the trial?—I went there on one occasion.

What is Pat Welsh, the one who was hanged?—Yes.



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8463. Do you remember anything about the evidence which was given for the defence?—I do not at Pat Welsh's.

8464. You were not present at Pat Welsh's?—I do not know anything about Pat Welsh's first evidence.

8465. Were you present at any of the trials of Welsh, the man who was hanged?—No.

8466. You were not?—Never.

8467. Then you know nothing about it. Were you present at the trial of the other Welsh, the younger Welsh?—No.

8468. You were not?—No.

Re-examined by Sir H. JAMES.

8469. I understand you that you became a Land Leaguer, and also took the Fenian oath?—Yes.

8470. Which occurred first? Did you become a Land Leaguer first or a Fenian?—Well, yes, a Land Leaguer.

(*Mr. R. T. Reid.*) This does not arise out of the cross-examination, and, further than that, it is in direct contradiction to what he said in examination-in-chief.

(*Sir H. James.*) No, Mr. Reid, I may be wrong.

(*The President.*) I took it down exactly as he says it now.

(*Mr. R. T. Reid.*) But, as a matter of fact, I think he said before the contrary and was not cross-examined to it. I may be wrong about that, but he certainly was cross-examined.

(*Sir H. James.*) I think my friend will forgive me. My learned friend Sir Charles Russell went into this very fully.

(*The President.*) "I joined the Land League first."

(*Mr. Justice A. L. Smith.*) I have it: "I joined the Land League first."

(*Mr. Reid.*) I am sorry.

8471. (*Sir H. James.*) I understood you to say you joined the Land League first?—I could not give you a straight answer as to which of them I joined first.

8472. I do not want the date, I want the fact. You also said you received a card and paid money to a man. Give me the name of the man to whom you paid the money?—James Varilly.

8473. How much did you pay?—1s.

8474. Then you say you received a card?—Yes, it was not he who gave me the card, it was another gentleman.

8475. Who was the other gentleman?—Pat Ruane.

8476. Ruane gave you the card and you gave the money?—Yes.

8477. Did you keep that card?—Well, I do not know whether I have it or not.

8478. After paying that money and receiving that card, did you attend meetings at Mrs. Welsh's?—I did.

8479. Had you ever attended those meetings before paying that money and receiving that card?—Sir?

8480. Had you ever attended meetings at Mrs. Welsh's before paying the money and receiving the card from Pat Ruane?—I was.

8481. Attending meetings?—I was there before I got the card.

8482. What caused you to go there before you got the card? What were you when you went there?—Because I was a sworn member to the League, I suppose—or whatever they were. I do not know what they were.

8483. Just think. We only want the truth from you, you know. Just think. If you went there before you received the card, in what capacity did you go? As what were you going?—Well, I do not know. As far as I know, I am just telling their Lordships in Court.

8484. Had anyone spoken to you about becoming a member of the Land League before you got the card or paid the money?—Yes.

8485. Who?—Ruane.

8486. What did he ask you? What did he say to you?—He told me I should be to be a member of the League.



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JAMES MANNION.

[Continued.]

8487. How long was that before you received your card and paid the money?—Oh! about a few days.

8488. And now can you tell me did he ask you that before you went to Mrs. Welsh's or afterwards?—Oh, before I went to Mrs. Welsh's.

8489. Then you went to Mrs. Welsh's. Then you paid your money and received this card?—Yes.

8490. Just to make this matter clear, you knew of the Rev. Canon Fleming being shot at. He was a Protestant clergyman?—Yes.

8491. And you knew of Lydon's murder, but you know nothing about Mr. Rider?—No, I do not know a pick about him.

PETER FLAHERTY sworn; examined by Mr. MURPHY.

8492. Are you a farmer?—Yes.

8493. And do you live at Ardnagreeva, in the county of Galway?—I do.

8494. Do you remember being asked by anybody to join the Land League?—I do.

8495. Who asked you?—It was James Hanna.

8496. Did you agree to do so?—Well, I did.

8497. And did you pay money to him?—I did.

8498. At that time were there any secret societies to your knowledge about your country?—Not at that time.

8499. Is Ardnagreeva either on the property or near the property of Mrs. Blake?—It is on the property of Mrs. Blake.

8500. After you had been a Land Leaguer did you attend some of the meetings?—I did.

(Mr. Justice A. L. Smith.) When?

8501. (Mr. Murphy.) Can you give us the date when you joined it?—When I joined the Land League I could not tell you the exact date. To the best of my belief it was in 1880.

8502. Who were the men who principally took part in the Land League when you first joined it?—There were the two Ruanees and McDonnell and Mulcarren.

8503. Two Ruanees, Mulcarren?—Yes.

8504. Who else?—McDonnell.

8505. Do you remember his Christian name?—Joseph McDonnell.

8506. And who else?—And Michael Cawley was one of them too.

8507. After you had been a member of the Land League do you remember joining some other society?—I did.

8508. How did that come about? How came you to join it?—There was a party of men came to my house first, and I was sworn in my own house, and I was brought out of my bed and I did not know who they were at that time.

(The President.) "After I joined the Land League I joined another society."

(Mr. Murphy.) Yes.

8509. What were you sworn in as?—I was sworn not to pay no rent, and to be true and loyal to the Irish Republic.

8510. Yes?—That is what it is.

8511. That is what the oath was? About how many men were there that came to your house?—There were about 13, as much as I saw at the time.

8512. Did you know the man who came?—I did not that night.

8513. Did you afterwards get to know who they were?—I did.

8514. Give me the names of some of them?—I got to know from Michael Hanna the night of the outrage.

8515. You got to know from Michael Hanna?—Yes, Hanna told me he was the man who swore me in that night.

8516. Now you have spoken about an outrage at O'Neill's farm, I think. I want to ask you a little about that. Had there been a meeting the night before this outrage at O'Neill's farm?—There was.

8517. Where was that held, do you recollect?—It was held on the mountain close to Mrs. Blake's property.



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PETER FLAHERTY.

[Continued.]

8518. About what hour?—It was between 12 and 1 o'clock at night.

8519. About how many people were present at it?—There were up to 80, as far as I could guess.

8520. Were any of the people who were there to your knowledge Land Leaguers?—There were Mulcarren and McDonnell, and a good many more of them. Hanna and Cane—a man named Cane.

8521. What was done at this meeting?—What was the discussion?—Well, they decided to banish the sheep and cattle off the farm and to notice Michael O'Neill to take them away, and if he would not do so they would destroy them.

8522. What had O'Neill done?—Nothing; he was a very good man. He never did anything out of the way.

8523. Why were his cattle to be taken out of the way?—He had this farm taken, and they wanted to make him give up the land and leave it there until such time as the landlord would give it to the tenants.

8524. Was he a tenant of Mrs. Blake's?—He was at that time.

8525. Do you know whether Mrs. Blake was boycotted at that time?—She was.

8526. Who were the two head men at these meetings generally?—Well, Ruane and Mulcarren were the two head men that I knew of.

8527. That was the night before the outrage? Did you go to O'Neill's farm?—I did.

8528. About how many went with you?—There were pretty near 90 men, I suppose, in that.

8529. All the men who were on the mountain, or most of them?—There was.

8530. What were you to do? What were you appointed to do?—I was appointed when the crowd collected together; there were 10 men appointed to go and watch the herd's house.

8531. Do you remember what his name was?—Halloran, and if he or any of his family would stir during the time the sheep were getting destroyed we were not to let them outside, and if they were to come out we were to destroy them.

8532. Had some of the men got guns?—There was one of them had a revolver.

8533. Did you go then to O'Neill's?—I went in to watch the herd's house.

8534. Do you know what was done about the sheep?—I was not present at the drowning, but they were drowned.

8535. Some five or six weeks after that, do you remember attending another meeting?—I did.

8536. Was that at Derryherbert?—It was on the mountain of Derryherbert.

8537. About how many were present then?—There were up to 60 men in it.

8538. What hour of the night or day was that held at?—It was 1 o'clock, or between 1 and 2 o'clock at night.

8539. Give me the names if you can recollect them of some of the men who spoke at that Derryherbert meeting?—I did not hear anyone speaking in it, but Ruane made a speech in it.

(Mr. Reid.) Did you hear it?

8540. (Mr. Murphy.) Did you hear Ruane speaking?—I did.

8541. Was there any swearing went on that night?—There was. He told us all to repeat what he would repeat himself, and so we did.

8542. Was there any oath again repeated?—There was. We all repeated what he said, and then O'Neill rose up his hand like that, and told us all to raise up our hands.

(The President.) What did he swear to?

8543. (Mr. Murphy.) What was the oath you took that night?—I asked Hanna why we were swearing. James Hanna was standing alongside of me. I said, "Why do we swear to-night, why were we not sworn before," and he says, "You were never a man till now."

8544. Do you remember what was the form or substance of the oath?—I do not.

8545. I think you told me it was Hanna who asked you to become a member of the Land League; who did you pay the money to?—To Hanna, he was a neighbour of mine, and I was always along with him.

8546. Did he collect money for other societies as well?—It was he collected town land.



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[Continued.]

8547. For both societies?—For all societies.

8548. What was the collection for for the other society?—It was to bring arms at the place too.

8549. Another meeting that you attended I think, let me see whether I am right, was at the sacristy of the chapel?—Yes.

8550. At Tully?—Yes.

8551. What sort of a meeting was that, a Land League or a secret society meeting?—There were 18 evicted tenants who were evicted on Mr. Blake's property, and there were some of them expecting money. They were to get more or less money.

8552. From whom?—From the priest, and he told them that it was not right to give the Land League money to the landlords, and he says if you get it now you will go down and give it to the landlords for rent.

8553. Who was the priest?—Father O'Connell.

8554. Did Pat Mulkerrin say anything at that meeting?—He did.

8555. Was the priest there?—He was gone out in the chapel.

8556. The priest was not present?—No.

8557. What did Mulkerrin say?—He had hold of the back of a chair like *this*, and he said Mr. Robinson was to be in his office in a few days, and there were notices that all would gather in and pay the rent, and he said, "By God, I will go and watch the office, and any person who goes to the office to pay rent I will settle blood with him."

8558. On another occasion, do you remember when you came out into the square of the chapel?—I do.

8559. Was Michael Cawley there?—I heard him read a letter.

8560. What was the letter he read out?

(*Mr. R. T. Reid.*) I really submit that this is not admissible in evidence. I do not see how a person reading out a letter——

(*The President.*) First of all, who is he?

(*Mr. Murphy.*) Who was Michael Cawley?

(*The Witness.*) He was a farmer that lived back there in Derry Herbert.

8561. Was he connected with the Land League?—I suppose he was.

8562. Have you seen him attending their meetings?—I have not.

8563. I am told Cawley was mentioned by the last witness?

(*The President.*) Assuming that to be so, Mr. Reid, I assume that what a person reads out at a public meeting is as much evidence as what he talks.

(*Mr. R. T. Reid.*) I think that is so, provided he read it out at the meeting.

(*The President.*) I understood him to say that.

(*Mr. Murphy.*) I understood the evidence to be so, but I will see.

8564. Did he read it out loud to you, or how?—He read it out; there were 12 or 13 standing by; he told them to stand out like good men, and not to pay no rent, and that the Land League would build huts for them on the side of the road.

8565. (*The President.*) From whom was the letter do you say?—I could not tell you who the letter came from.

8566. (*Mr. Murphy.*) Whose land was it upon which the secret meetings you have spoken of used to be held?—It was held on Michael Cawley's father's land.

8567. The same Michael Cawley?—Yes, one of them; and the other was held on a farm belonging to a man named Thornton, on Mrs. Blake's property.

8568. Is Pat Meekerrin in the country now, or where is he?—He went away to America; he ran away for fear he would be arrested.

8569. Was that before or after Cawley and Joe Macdonald, and the rest of them, were tried for conspiracy?—It was after, sir.

8570. You mention Cawley and Macdonald; did you mention Varially?—He was at one meeting, at the Derry-Herbert meeting.

8571. Did you mention Martin Flaherty's name?—No.

Cross-examined by Mr. R. T. REID.

8572. You told us that you took part in one outrage, and that was in the moon-  
O'Neill's?—Yes.



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[Continued.]

8573. You went there to watch the herd's house?—I did.

8574. And to shoot the herd?—Yes, if he had come out, sir.

8575. You had no delicacy upon that subject at all, you were quite prepared to do it, of course?—We were, sir.

8576. Any other outrage did you take part in?—None but that one.

8577. Now think?—I had nothing to do with any other outrages that were going on in the place.

8578. You knew nothing about them?—I knew they were to go on, but I was not present at them.

8579. You took care to absent yourself?—Well I was not asked to go to any other one of them.

8580. You say that you joined the society and took an oath to the Irish Republic?—I did, sir.

8581. Do you mean to say you did not know the nature of that society, the name of it?—Well I did not know what it was then.

8582. Have you never heard of the Irish Republican Brotherhood?—I did not. I did not understand anything about it when I was sworn in.

8583. You do not know now what it is you swore to?—I did not know what it meant.

8584. Then afterwards at another meeting, a meeting at night, you swore that you took another oath?—I did.

8585. Do you know what the oath was to?—Well, I could not exactly tell you what it was.

8586. Have you got the least idea of what it was?—I have not, only that they were sworn in to be moonlighters, I suppose.

8587. That is what you understood by it?—That is what I understood by it.

8588. And you were perfectly prepared, I suppose, to go moonlighting whenever requested?—Whenever I should be called upon I should go.

8589. How long did you remain in that frame of mind?—It was not for long.

8590. How long?—About a year and a half.

8591. From what time to what time?—I could not give you the date, I think it was from 1880 to 1882.

8592. In what form did repentance come; how came you to repent, or did you repent?—No, sir, but they accused me for things I was not guilty of, and then I turned against them.

8593. Let us first agree to this that there had been no repentance on your side?—No, there was not.

8594. You are not a bit ashamed or sorry for what you have done?—I am not.

8595. You are ready to do it again?—Yes, because they treated me badly, but for that I would not.

8596. How came you to quarrel, to discontinue or quarrel with these moonlighters?—They accused me for telling Mr. O'Neill to send more sheep and cattle to Carron farm, and that I would go bail that nothing would happen, and I did not do that and I was not guilty of it; they accused me then for telling another woman who was a neighbour of mine that such a thing took place that night, and I was not guilty of that. Then Mulkerrin threatened to shoot me, and he fired a shot at me one night and caught me in the collar like that, and said, "If I hear anything more of this conduct your bread is baked," I turned round at the same time and I gave information to the police.

8597. When was it that you gave information to the police?—Well, I suppose, as far as I could guess, in 1882.

8598. Did you complain you had been shot at yourself?—I did.

8599. Was the man tried for it?—He was, sir.

8600. Was he convicted?—He escaped to America and could not be caught.

8601. And since then have you been giving information constantly to the police?—Never since.

8602. Never given any information since at all?—No.

8603. At this meeting that you speak of, you told us about Ryane and other names which I recognise to be the same that the last witness spoke of; Mannion, did you ever see Mannion, the last witness?—No, I never saw him at any meeting; he did not come convenient to me at all.



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[Continued.]

8604. But you saw Ruane?—I did.

8605. And where did these meetings generally take place?—It was on the mountains.

8606. Were you ever in any building at a meeting?—No, sir, I was not.

8607. And when were you asked to give your evidence in this inquiry before my Lords?—What is that, sir?

8608. When were you first asked to give evidence before my Lords in this inquiry?—It was last Thursday about 8 o'clock I was served with a summons.

8609. Who by?—I do not know who is the man.

8610. You had never had any communication with anyone before?—Never, sir.

8611. But you received a subpoena?—I did.

8612. And you came over to London?—I had to come.

8613. Did you give a statement when you came to London?—I did.

8614. Who did you travel with?—I travelled with Mannion, sir.

8615. The last witness?—Yes.

8616. Anyone else?—And there was another woman along with me, sir.

Cross-examined by Mr. BIGGAR.

8617. Were Mrs. Blake's tenants very prosperous in 1880?—Well, they were better then than they are now.

8618. Do you happen to know whether or not a very large number of the tenants, whom you say were very prosperous, were getting relief from the Relief Fund or not?—They were, some of them.

8619. About how many?—Everyone of them got more or less, but the poorest class got it three or four times.

8620. Was Mrs. Blake's brother or brother-in-law one of the committee for distributing the relief?—He was.

8621. And in spite of the fact that her tenants were very prosperous, and that she was giving no reduction in her rents, still her brother or brother-in-law gave relief to a large number of her tenants?—He was one of the Committee of Relief.

Re-examined by Sir HENRY JAMES.

8622. How far did Mannion live from you? You say he did not live handy to you?—No, he lives about nine miles from me.

8623. You said that no one since you gave information to the police spoke to you; but were you examined at a trial in May 1883 at Galway?—I was, sir, before the Grand Jury.

8624. You went to Galway and were examined before the Grand Jury?—Yes, and in Sligo.

8625. What was the case in Sligo?—The same case.

8626. Were you examined in Sligo before the Grand Jury?—I was.

8627. This gentleman asked you whether you were ashamed—you said you were not ashamed, because they ill-treated you?—I was not.

8628. What was it you were not ashamed of?—I was not ashamed to be a Crown witness, because they ill-treated me.

(Mr. Reid.) I did not understand him to say that.

(The President.) I think he said something of the kind.

8629. (Mr. Reid.) May I ask a question upon that. (To the witness.) Just stand back and answer me a few questions. As I understand, you were prepared to go out on moonlighting frays, and never refused until 1882?—I was, sir; I should go.

8630. I say you were prepared to go?—I was.

8631. And you were prepared to commit murder in these moonlighting frays if necessary?—Yes, I should take hand and part with them.

8632. Now, in 1882 you quarrelled with your confederates, as you say?—Yes.

8633. And thereupon you became a Crown witness?—I did, sir.

It was not from revenge or from anger that you left the confederacy?—If I had attempted to make an attempt to shoot me, sir, I never would have left it.



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[Continued.]

8635. And you would have continued perfectly prepared to have gone out moonlighting?—I would.

8636. And to commit murder if necessary?—I would.

8637. Or indeed if in any way expedient?—Anything I would be asked I should go into.

8638. Your ideas upon murder have not altered?—Well, I do not want to murder anybody; God forbid, I would!

8639. (*Sir Henry James.*) Before you went out had you taken an oath?—I had, sir.

8640. How many people were present when you took that oath?—The first time I was sworn, sir?

8641. Yes?—I saw 13 people at my house the first night I was sworn.

8642. Of course those 13 men knew you?—They knew me, but I did not know them that night.

8643. But afterwards you were known to these people, I suppose, by name?—Yes.

8644. What was the oath? What did you undertake to do by your oath?—It was to be true and loyal to the Irish Republic; that is all I know about it.

8645. Was any oath ever taken that you would obey orders, or commit outrages, or anything of that kind?—I did not take anything to that effect.

(*The President.*) I understood him before to refer to a rather peculiar combination. He said, "I was sworn not to pay rent, and be true to the Irish Republic."

8646. (*Sir H. James.*) Did you swear that twice, or once only?—Twice. I was sworn in my house first, not to pay my rent. Then I was sworn on the mountain at Derry-Herbert to be true and loyal to the Irish Republic.

8647. Did you receive any summons to go out what you have termed "moonlighting" after taking those oaths?—No, but Hanna used to come in to me at night if he would hear anything about a meeting, and ask me to go with him.

8648. Then you would go?—I would go.

8649. You used the word you *should* go; did he use the word you *should* go?—"You should go if there be any person sent for you. If you refuse going you may be killed the following night."

8650. Who said that?—Hanna.

8651. Then after you took the oath and that was said to you, you did go off?—I did whenever they came for me.

EDWARD FLANAGAN sworn; examined by Mr. ATKINSON.

8652. Where do you live at present?—I live in London at present.

8653. I mean before you came to London?—Dublin.

8654. Do you remember going to America?—Yes.

8655. In the year 1879?—Yes.

8656. What part of America were you living in?—I landed in New York, and I went to Pittsburg and got employment on the Jersey Steam Works.

8657. After you had been some time there, were you introduced to Mr. Stephen Joseph Meeney?—He went by that name, the man who I was introduced to by my brother.

8658. Who introduced you to him?—My brother.

8659. Was your brother also out in America?—Yes.

8660. Was he working in the same place?—Yes.

8661. Did this Mr. Meeney say where he came from?—He did not at that time. My brother introduced him as Mr. Joseph Meeney, from Ennis.

8662. That is in the County Clare?—Yes.

8663. Did you afterwards see Mr. Meeney attending meetings of the Irish National Land League in New York?—In Pittsburg.

8664. What position did he occupy at these meetings?—He was president.

8665. Have you seen him on more than one occasion?—Yes.

8666. On several occasions?—On two more occasions.

(*Mr. Justice A. L. Smith.*) What date do you put that?

8667. (*Mr. Atkinson.*) At what date did you see him?—In Pittsburg.

8668. Yes?—It was in December 1879.

8669. Was that the first time you were introduced to him?—What was the time.



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EDWARD FLANAGAN.

[Continued.]

8670. But, afterwards, what time did you see him presiding at the meeting?—At that date.

8671. In 1879?—In 1879.

8672. What was the first time you saw him presiding?—In New York.

8673. Have you seen him more than once in New York presiding?—Twice.

8674. Can you tell the last date you saw him in New York?—In 1885.

8675. And the other occasion?—In 1885, the two occasions.

8676. Did he collect any money from you?—In Pittsburg.

(*Mr. R. T. Reid.*) I would now interpose and ask as to whether this is in any way evidence?—We are in America now.

(*Mr. Atkinson.*) Not at all. Several speeches have already been given in evidence by Mr. Joseph Meeney in Ireland on behalf of Mr. Mathew Harris and other members of the Land League.

(*Mr. Justice A. L. Smith.*) We have it stated in evidence that Mr. Parnell and Mr. Davitt went to America to form the Irish Land League.

(*Mr. R. T. Reid.*) I quite understand what your Lordship means. That is part of the case. Your Lordship is assuming the defenders are going to prove their case, but I am now discussing how that is evidence. Here is a gentleman proved to have made a speech or two speeches on some platform with one of the 65 members charged, and afterwards he is found in the same year or, indeed, before, I think in 1879, in America collecting money. I submit that really does not make it evidence in any way against these gentlemen.

(*Mr. Atkinson.*) It is evidence in this way. It charges that there was a combination, consisting amongst other things, of the Irish and American National Land League. That is one of the charges. That they formed into a confederacy together. This gentleman is proved to have been President of the Irish Land League at Pittsburg and, therefore, one of the conspirators with the National Land League in Ireland, and, therefore, I submit that his conduct, action, and words out there, would be directly evidence.

(*Mr. Reid.*) Allow me to say one word. Really we are going with the greatest possible respect to an extraordinary length. There are associations in America and associations in Ireland. I am not at all averse to its being assumed, as your Lordship has held, that some sort of connexion is going to be established between them, but supposing it does everything of that sort, but why is what a man says in America in the absence of any one of the persons incriminated to be made use of as against him, when he has no opportunity of answering or meeting it and it is in no way asserted to be proved that it was brought to his knowledge.

(*Mr. Atkinson.*) My question was not what Mr. Meeney stated in America but what Mr. Meeney did in America in direct furtherance of the conspiracy.

(*The President.*) Mr. Reid, the allegation is you know, that these people were all members of a combination, and that they did various acts in various places, and amongst the rest there was Mr. Meeney, a member of the Land League in Ireland, and he became president of the Land League in America. Then surely what he addressed to a meeting summoned by that body would be evidence of an overt act of the combination which is alleged to have existed.

8677. (*Mr. Atkinson.*) Did Mr. Meeney collect money for you in America?—Yes.

8678. What for?—For firearms for the west of Clare.

8679. Did he give you any firearms?—When I was in Ireland in 1885 he did.

8680. Are you sure it was in 1885 you came back to Ireland?—Not in 1885 I came back, but I came back in 1882 and went back in 1885 again; came over in 1885 and returned in 1885.

8681. You returned from America in 1882?—I returned in 1882 and remained till 1885.

8682. Did your brother come with you in 1882?—No.

8683. Did your brother take a farm in 1882 when you were in Ireland?—He took the Holywood farm.

8684. Had some person been evicted from that?—No, but dispossessed for nonpayment of rent.

It was of the person who had been dispossessed for nonpayment of the John ...



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[Continued.]

8686. When do you say you went back to America?—In 1885, and returned in 1885.

8687. How long were you in America in 1885?—About three months.

8688. While you were living at home did you live with your brother—when you were at home in 1882?—Yes.

8689. And up to 1885?—Yes.

8690. What was the village nearest your brother's place?—Lurgan.

8691. Is there a village called Shauaglish or a parish called Shauaglish?—Yes, that is where the Catholic church is.

8692. While you were there with your brother, was anything done to you at all during the three years you lived with your brother?—No, not until the League started.

8693. Had you returned to America before the National League started?—Yes.

8694. After the National League started, about what time did it start in Shauaglish?—I could not exactly say but I think it met in 1884.

8695. Was it in existence when you returned from America?—No, it was not.

8696. But when you came back from America in 1885, after stopping a short time there, was the National League in existence then?—It was.

8697. Did you see any change in the conduct of the people towards your brother on your return?—Oh yes, I saw a vast deal.

8698. What was the change?—There was faction against faction, and there was disunion among the people, and an honest man could not live there at all at that time if you were not in with the crowd.

8699. Was your brother in with the crowd?—No, because he made himself obnoxious by taking an evicted farm.

8700. Were you able to get provisions anywhere?—Yes.

8701. Where did you get them?—In Ennis, in county Clare.

8702. How far had you to go for them?—Ten miles.

8703. You could not get them nearer?—No.

8704. Were you able to get people to work for you?—We got two servant boys, and we used to do the work ourselves.

8705. Did any persons remain on friendly terms with you?—Yes, some.

8706. Who remained?—Michael Doherty and John Halloran.

8707. Were they the only ones?—They were the only ones.

8708. You said, I think, you got some firearms from Meeney, in America?—Yes.

8709. What firearms did you get?—Two revolvers.

8710. For what purpose did you get them?—I got them to give them to Pat Mulkerrin.

8711. Who is Pat Mulkerrin?—I do not know; a shopkeeper.

8712. Where does he live?—In Ennis, in county Clare.

8713. Did you give them to him?—No.

8714. What did you do with them?—I brought one with me home and I gave another to a steward on board the White Star Line boat.

8715. I believe you got into trouble for the one you brought home?—Yes.

8716. You were arrested for having arms?—Yes.

8717. And you were in prison?—Yes, I got three months.

8718. Did you attend yourself any meetings of the League of the Shauaglish branch after your return?—I never did.

8719. Did you see any resolution come to by that branch published in the paper?—I did.

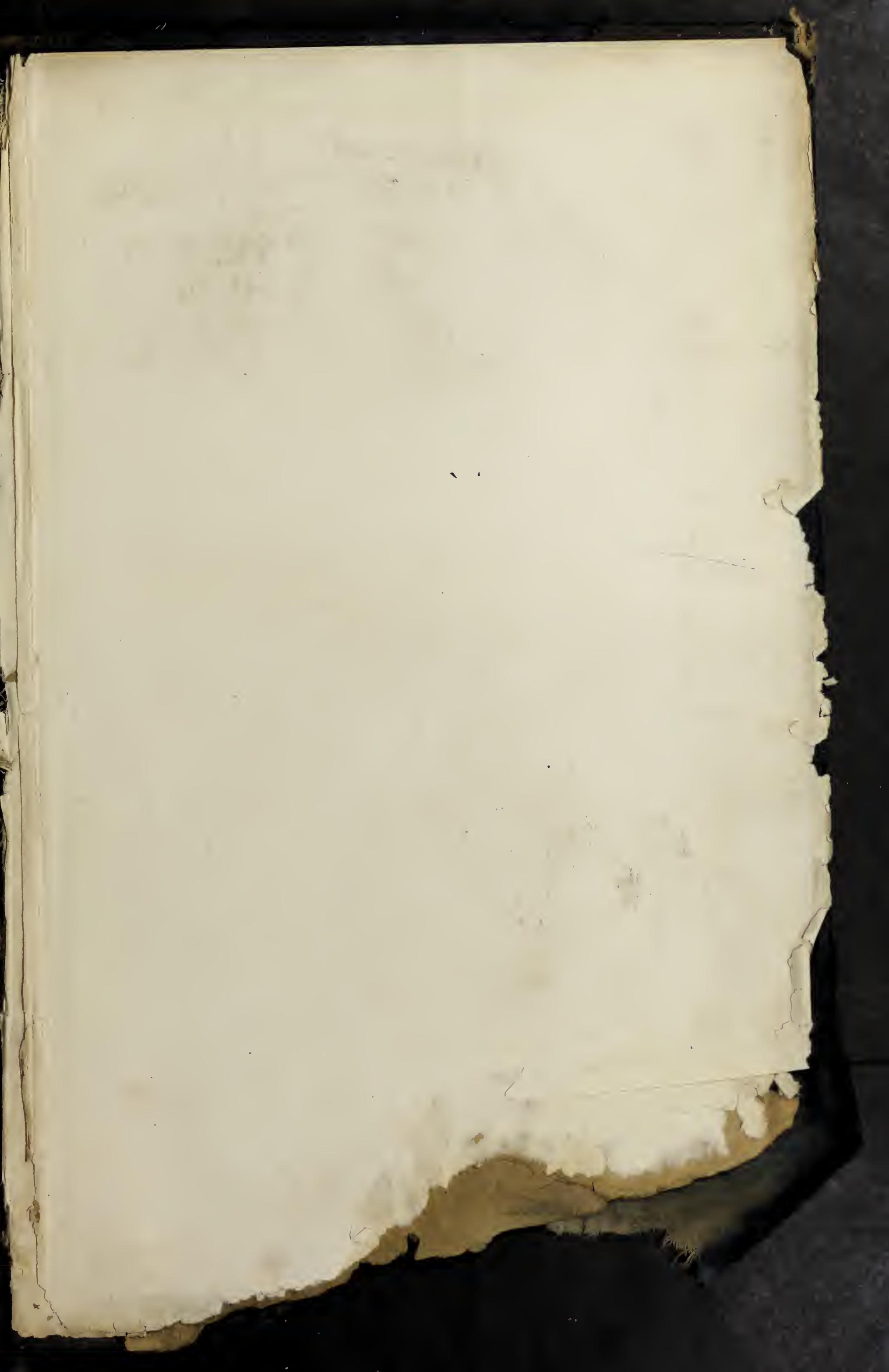
8720. What paper did you see it published in?—In the "Tuam News."

Adjourned to to-morrow at 10.30.











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